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BARLOW'S CONTINUATION TO HUME'S ENGLAND.

PRINCESS OF WALES.

THE HISTORY OF ENGLAND, FROM THE YEAR 1765, TO THE YEAR 1795.

Being a CONTINUATION *of the* HISTORIES *of Mr.* HUME *and Dr.* SMOLLETT.

By J. BARLOW, Esq.

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THE
History of England,
FROM
THE YEAR 1765, TO THE YEAR 1795.

CHAPTER I.

Debates on general warrants—The colonies dissatisfied at restrictions upon their trade—Agents from the colonies wait upon Mr. Grenville—The American stamp act passed—The conduct of Grenville's administration displeases the king—The Rockingham administration appointed—Death of the duke of Cumberland—Tumults in America—Debates on the right to tax America—The parliament confirms the right—The stamp act repealed—Cider act repealed—The Grafton administration—Lord Chatham lord privy seal---Negotiations which effected this change—Meeting at lord Eglintoun's---Communications between Mr. Wilkes and the ministers---Conference between lord Chatham and the duke of Bedford—Lord Chatham comes to Hampstead—The king sends frequent messages to him there.

[A. D. 1765—1767.]

IT was generally imagined, in the beginning of the year 1765, that the little strength the ministry discovered on any question which did not affect the crown, and the dismission of some military servants of the state, were indications of their speedy dissolution. But on the other hand it appeared that the people had too rooted a dislike to a large standing army in time of peace to be roused by any indecorous treatment which the heads of it might

might experience. The author of the North Briton too being in a ſtate of baniſhment, there remained no political writer at the moment to animate the nation, except the poet Churchill, whoſe character was ſuch as to command neither credit nor reſpect.

On the twenty-ninth of January, however, a vigorous blow was ſtruck at the miniſtry in the houſe of commons. The original queſtion concerning the illegality of general warrants being again introduced without any new qualification, the miniſters had art and influence enough to have it ſo amended, or rather altered, that it was neceſſary to put the previous queſtion whether it ſhould be debated or not. The queſtion ſo altered ſtood thus: "In the particular caſe of libels it is proper and neceſſary to fix, *by a vote of the houſe only*, what ought to be deemed the law in reſpect to general warrants; and, for that purpoſe, *at a time when the determination of the legality of ſuch warrants is actually depending before the courts of law, in the inſtance of a moſt ſeditious and treaſonable libel*, for the houſe to declare that a general warrant for apprehending the authors, publiſhers and printers of a libel, together with their papers, is not warranted by law, and is a high violation of the liberty of the ſubject."

Before this important queſtion was carried, a long and energetic debate took place concerning the nature of treaſon and ſedition.

It was urged againſt miniſters, that in the reign of king Charles the Second, when the earl of Briſtol exhibited a charge of treaſon againſt the earl of Clarendon, alleging that he had endeavoured to alienate the affections of his majeſty's ſubjects, by venting ſcandals againſt his perſon, and traduced both houſes of parliament, the judges unanimouſly agreed, that if the matters alleged in the charge were admitted to be true, although ſaid to be traiterouſly done, yet there was no treaſon in it. And it was alſo contended on the ſame ſide, that, to prevent the increaſe of rogues and vagabonds, the legiſlature had thought proper to direct general privy ſearches for them, yet no perſon ſuſpected of being either, can be committed if he can procure a reſponſible houſekeeper to give ſecurity for his

future

future appearance; or be detained above ſix days, if committed on ſuſpicion of felony, unleſs ſome accuſation is in the mean time brought againſt him. If general warrants for ſeizing the authors, printers, and publiſhers of a libel which a miniſter may deem ſeditious and treaſonable, were liable to ſo many objections; one for ſeizing their papers was ſtill more ſo, ſince papers, though often dear to a man, have neither eyes nor ears to perceive the injury done to them, nor tongue to complain of it; and of courſe may be treated in a manner highly injurious to the owners before they get into the hands of the miniſter, who may himſelf combine or disjoin them, ſo as to make them engines capable of working the deſtruction of the moſt innocent perſons.

It was added, that even a particular warrant to ſeize ſeditious papers alone, without mentioning the titles of them, may be very injurious, becauſe it would follow that the papers of every man would be liable to be ſeized and examined indiſcriminately, and ſuch examination may bring things to light, which it may not concern the public to know, and which yet may do much miſchief to the owner by being made public: Of this truth Mr. Wilkes was a recent and convincing inſtance. But the injury done to individuals is nothing compared to that ſuffered by the public. Printers and publiſhers would be thus obliged to read whatever they print, and will conſequently print very little; an evil which would be almoſt equivalent to a ſuppreſſion of the preſs. Nothing, it was ſaid, could be more ruinous than this conſequence, becauſe the liberty of the preſs and of the nation muſt live and die together.

Moſt caſes, it was alleged, might be ſeaſonably remedied by the preſentment of a grand jury, or by an information in the king's bench. By the Saxon law a tale-bearer was not to be detained after he had given up his author.

Such were the principal arguments now urged againſt miniſters, who had too freely attributed treaſon to libels, and granted general warrants for ſeizing the perſons and papers of the authors, printers, and publiſhers of them: On the other ſide, the miniſters contended, that, by the ſtatute of Weſtminſter, telling or publiſhing falſe news or

tales, which might occaſion diſcord or animoſity between the people and the king, or the great men of the realm, is deemed ſedition; and it was ſo treated by that parent of the people, queen Elizabeth. Among legal records there is frequent mention of orders ſent by the king to ſheriffs and other magiſtrates to inquire into particular crimes committed within their juriſdiction, and to ſeize and puniſh the offenders: That at the time of iſſuing the general warrants which gave riſe to this debate, telling and publiſhing falſe news productive of diſcord between the people and the king or grandees, was very common. It had been the cuſtom from time immemorial to diſturb the peace of a whole county by that ſolemn alarm, called *hue and cry*; and by that act to make it lawful for all perſons to ſtop, and for all magiſtrates to examine, every ſtranger for the ſake of finding out a ſingle delinquent.

It was added, that to queſtion the legality of general warrants would be impeaching the character of the higheſt tribunal, next to the houſe of lords, in the kingdom. By an act of William the Third any perſon ſuſpected by the ſovereign to be conſpiring againſt his perſon or government, might, during the ſuſpenſion of the *habeas corpus* act, be apprehended by a warrant ſigned by ſix privy counſellors. The ſame power is granted to a ſecretary of ſtate by a ſubſequent act.

The miniſtry having laid ſome reſtrictions upon the trade of the American colonies with the Spaniſh plantations, and with the Weſt India iſlands, they expreſſed their diſpleaſure and reſentment by ſeveral reſolutions made at public meetings, held for that purpoſe; among others there was one recommending the wearing for the future no clothes which were not of their own manufacturing; but this ſpirited conduct was not ſufficient to warn the miniſtry to act with more tenderneſs and lenity.

Theſe reſtrictions upon their trade, accompanied with an order for paying the high duties impoſed upon their commerce, in ſpecie to the Britiſh exchequer, were only preludes to the miniſter's favourite plan of a ſtamp-act. The ſcheme was poſtponed till this ſeſſion, that the colonies might have time to offer a compenſation for the

produce of the propoſed tax; accordingly, when their agents waited upon Mr. George Grenville, chancellor of the exchequer, and firſt lord of the treaſury, to thank him for this mark of his condeſcenſion, he told them, that he was ready to receive propoſals from the colonies for any other tax. But none of them were authoriſed to ſpecify any terms. Two of the agents who undertook that their principals ſhould pay their proportions of the ſtamp-duties, by methods of their own, could not fix upon any ſpecific plan.

It was reaſonable to imagine that ſome meaſures would have been taken, in conſequence of this increaſing diſpleaſure of the colonies, to prevent effectually the oppoſition which they plainly indicated, and to ſave Great Britain the mortification of ſeeing her laws publicly deſpiſed, and even her right to make them openly contradicted, by thoſe, whom the world had hitherto conſidered as her moſt dutiful ſubjects. It muſt, however, be acknowledged to the honour of parliament, that, though the vote concerning the propriety of laying a ſtamp-duty on the colonies eaſily went through the lower houſe in the preceding ſeſſion, the final laying it on in the preſent was attended with ſome laudable exertions to prove the right of the colonies to tax themſelves. But the petitions queſtioning the juriſdiction of parliament were not ſuffered to be read in the houſe; and the agents for the colonies, imagining that petitioning for the ſuſpenſion of the vote as a favour, might be deemed an acknowledgment of the right of taxation, refuſed to concur in another petition.

It was urged in favour of the colonies, that thoſe who firſt planted them, were not only driven out of the mother-country by perſecution, but had left it at their own riſk and expenſe: That all ties, therefore, except thoſe common to mankind, were diſſolved between them: They were abſolved from all duty of obedience to her, as ſhe diſpenſed herſelf from all duty of protection to them: That, if they accepted of any royal charters on the occaſion, it was through mere neceſſity; and that as this neceſſity was not of their own making, theſe

charters could not be binding upon them: Allowing thoſe charters to be binding, they were only ſo as to that allegiance, which the ſupreme head of the realm might claim indiſcriminately from all his ſubjects. It was contended, that it was their birth-right as Engliſhmen, not to be taxed by any but their own repreſentatives. The bill paſſed both houſes notwithſtanding theſe arguments, with the diſagreeable injunction for having the money ariſing from it paid into the Britiſh exchequer; and, at laſt, his majeſty being indiſpoſed, the bill received the royal aſſent by commiſſion on the twenty-ſecond of March.

The miniſtry, regarding the king's mother as a ſecret enemy, who, at the inſtigation of lord Bute, had adviſed their diſmiſſion, had exhibited obvious ſymptoms of their unwillingneſs to have her included in the late regency-bill. Though, out of compliment to the feelings of his majeſty, ſhe was finally appointed to a ſhare in the proviſionary regency; yet the ſunſhine of favour in which they had ſo long baſked ſoon afterwards became clouded, if not by the open frowns of their maſter, at leaſt by his ſecret diſpleaſure, which was at length kindled into open reſentment by diſmiſſing from their employments Mr. Stuart Mackenzie the brother, and lord Northumberland the friend, of the earl of Bute.

The late duke of Cumberland was now employed to arrange a new miniſtry. When lord Temple was applied to, he refuſed to have any ſhare in it, unleſs all the inferior offices were cleared at the ſame time, apprehending, that no other means would enable them to guard againſt the ſecret influence of lord Bute. Mr. Pitt, from complaiſance and decorum, openly pleaded his bad ſtate of health as an excuſe for his not accepting that employment which he had before filled with ſuch honour and advantage to the nation, while in reality he was too ſenſible of his own weight and popularity to riſk their loſs by ſharing his power with the favourite of the king.

At his royal highneſs's recommendation, the duke of Grafton and the right honourable Mr. Conway, brother to the earl of Hertford, one of thoſe members of the houſe

houſe of commons, who, at the cloſe of the laſt ſeſſion, had been deprived of all their employments, were appointed ſecretaries of ſtate, and the marquis of Rockingham, a new man, unknown to the people as a miniſter, was made firſt lord of the treaſury, Mr. Dowdeſwell, chancellor of the exchequer, and the duke of Newcaſtle, lord privy-ſeal.

Though no material objection could be made againſt the general character of this miniſtry, except youth and inexperience, it by no means afforded general ſatisfaction to the public, who were evidently diſpleaſed at ſeeing Mr. Pitt and his friends obliged to decline any ſhare of it. This circumſtance probably induced the city of London, in an addreſs they ſoon after preſented to the king on the birth of a third ſon, to glance at the late changes, by aſſuring him. "that his faithful citizens of London, from their zealous attachment to his royal houſe, *whenever a happy eſtabliſhment of public meaſures ſhould preſent a favourable occaſion*, would be ready to exert their utmoſt abilities in ſupport of ſuch wiſe councils, as *apparently* tended to render his majeſty's reign happy and glorious." The duke of Cumberland, having recommended the new miniſtry, conſtantly aſſiſted them with his advice. This advantage, however, was of ſhort duration. Whilſt his royal highneſs was preparing one evening to aſſiſt at one of thoſe ſelect councils frequently held, in order to arrange matters for the privy-council, and without whoſe aſſiſtance it is vainly ſuppoſed the privy-council buſineſs muſt go on as ſlowly as the buſineſs of parliament would without that of committees, he was ſeized (Oct. 31ſt, 1765) with a ſudden complaint, of which ſome ſymptoms had occurred the evening before, and in a fit of ſhivering funk ſenſeleſs, almoſt inſtantaneouſly, in the arms of the earl of Albemarle.

The public grief on this occaſion, according to the diurnal reports of that time, was inexpreſſible, and the character of the royal duke for wiſdom, bravery, and virtue, is too ſublime for their pens to do it juſtice. As for us, we lament not having it in our power to bring

proofs of his ſagacity and ability, from his ſpeeches, and from the plans concerted in thoſe ſecret councils in which he bore ſo material a ſhare, and to exhibit traits of his military talents and humanity to the vanquiſhed, by his conduct and the orders iſſued on the field of battle. His courage was unqueſtioned; but his military talents have been probably over-rated: At leaſt the arrangements previous to the famous convention of Cloſter-Seven have ſerved in ſome meaſure to caſt them into ſhade. The amuſements of his private life were not ſuch as were calculated to make him reſpectable; and the ſame inhumanity which led him to make choice of theſe recreations, has alſo attached, in the opinion of ſome perſons, to his public conduct. With theſe defects he has generally been regarded as a well-meaning man. His politics were pure, and he was certainly at heart a friend to the Britiſh conſtitution.

As the nation was perhaps never in a more critical ſituation, ſo of conſequence no adminiſtration ever had greater difficulties to conquer than this, which has ſince been diſtinguiſhed by the name of the Rockingham miniſtry. They were under an inſtant neceſſity of enforcing the American ſtamp-act by fire and ſword, or elſe of moving its immediate repeal in parliament. Fatal were the conſequences which oppoſition foretold would attend coercive meaſures; on the other hand, a repeal would be conſtrued into a relinquiſhment of all right to tax the colonies.

The reſentment of the Americans againſt the injudicious taxes and regulations impoſed upon them by the late miniſtry, was now arrived at ſuch a height as to produce open oppoſition; yet this was a circumſtance which the warmeſt friends of American liberty did not at firſt ſeem to apprehend. The night after it paſſed, Dr. Franklin wrote from London to Mr. Charles Thompſon, "The ſun of liberty is ſet; you muſt light up the candles of induſtry and economy." Mr. Thompſon anſwered, "He was apprehenſive that other lights would be the conſequence," and foretold the oppoſition that ſhortly took place. On its being ſuggeſted from authority,

thority, that the ſtamp officers would not be ſent from Great Britain, but ſelected from among the Americans, the colony agents were deſired to point out proper perſons for the purpoſe. They generally nominated their friends, which affords a preſumptive proof that they ſuppoſed the act would have gone down. In this opinion they were far from being ſingular. That the coloniſts would be ultimately obliged to ſubmit to the ſtamp-act, was at firſt commonly believed, both in England and America. The framers of it, in particular, flattered themſelves that the confuſion which would ariſe upon the diſuſe of writings, and the inſecurity of property, which would reſult from uſing any other than that required by law, would compel the colonies, however reluctant, to uſe the ſtamp paper, and conſequently to pay the taxes impoſed thereon: They therefore boaſted that it was a law which would execute itſelf. By the terms of the ſtamp-act, it was not to take effect till the firſt day of November, a period of more than ſeven months after its paſſing. This gave the coloniſts an opportunity for leiſurely canvaſſing the new ſubject, and examining it fully on every ſide. In the firſt part of this interval, ſtruck with aſtoniſhment, they lay in ſilent conſternation, and could not determine what courſe to purſue. By degrees they recovered their recollection. Virginia led the way in oppoſition to the ſtamp-act. Mr. Patrick Henry brought into the houſe of burgeſſes of that colony, the following reſolutions, which were ſubſtantially adopted:

"Reſolved, That the firſt adventurers, ſettlers of this his majeſty's colony and dominion of Virginia, brought with them and tranſmitted to their poſterity, and all other his majeſty's ſubjects, ſince inhabiting in this his majeſty's ſaid colony, all the liberties, privileges, and immunities that have at any time been held, enjoyed, and poſſeſſed by the people of Great Britain.

"Reſolved, That by two royal charters, granted by king James the Firſt, the colonies aforeſaid are declared and entitled to all liberties, privileges, and immunities of denizens, and natural ſubjects, to all intents and purpoſes,

as if they had been abiding and born within the realm of England.

"Reſolved, That his majeſty's liege people, of this his ancient colony, have enjoyed the rights of being thus governed by their own aſſembly, in the article of taxes, and internal police, and that the ſame have never been forfeited, or yielded up, but have been conſtantly recognized by the king and people of Britain.

"Reſolved, therefore, That the general aſſembly of this colony, together with his majeſty, or his ſubſtitutes, have, in their repreſentative capacity, the only excluſive right and power to lay taxes and impoſts upon the inhabitants of this colony, and that every attempt to veſt ſuch power in any other perſon or perſons whatſoever, than the general aſſembly aforeſaid, is illegal, and unconſtitutional, and unjuſt, and hath a manifeſt tendency to deſtroy Britiſh as well as American liberty.

"Reſolved, That his majeſty's liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, deſigned to impoſe any taxation whatever upon them, other than the laws or ordinances of the general aſſembly aforeſaid.

"Reſolved, That any perſon, who ſhall, by ſpeaking or writing, aſſert or maintain, that any perſon or perſons, other than the general aſſembly of this colony, have any right or power to impoſe or lay any taxation on the people here, ſhall be deemed an enemy to this his majeſty's colony."

Upon reading theſe reſolutions, the boldneſs and novelty of them affected one of the members to ſuch a degreee, that he cried out, "Treaſon! Treaſon!" They were, nevertheleſs, well received by the people, and immediately forwarded to the other provinces. They circulated extenſively, and gave a ſpring to all the diſcontented. Till they appeared, moſt were of opinion, that the act would be quietly adopted. Murmurs, indeed, were common, but they ſeemed to be ſuch, as would ſoon die away. The countenance of ſo reſpectable a colony as Virginia, confirmed the wavering, and emboldened the timid. Oppoſition to the ſtamp-act, from that period,

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aſſumed a bolder face. The fire of liberty blazed forth from the preſs; ſome well-judged publications ſet the rights of the coloniſts in a plain, but ſtrong point of view. The tongues and the pens of the well informed citizens laboured in kindling the latent ſparks of patriotiſm. The flame ſpread from breaſt to breaſt, till the conflagration became general. In this buſineſs, New England had a principal ſhare. The inhabitants of that part of America, in particular, conſidered their obligations to the mother-country for paſt favours, to be very inconſiderable. They were fully informed, that their forefathers were driven by perſecution to the woods of America, and had there, without any expenſe to the parent ſtate, effected a ſettlement amidſt a rude creation. Their reſentment for the invaſion of their accuſtomed right of taxation was not ſo much mitigated by the recollection of late favours, as it was heightened by the tradition of grievous ſufferings, to which their anceſtors, by the rulers of England, had been ſubjected. The deſcendants of the exiled, perſecuted, puritans, of the laſt century, oppoſed the ſtamp-act with the ſame ſpirit with which their forefathers were actuated, when they ſet themſelves againſt the arbitrary impoſitions of the houſe of Stuart.

The heavy burdens, which the operation of the ſtamp-act would have impoſed on the coloniſts, together with the precedent it would eſtabliſh of future exactions, furniſhed the American patriots with arguments, calculated as well to move the paſſions, as to convince the judgments of their fellow-coloniſts. In great warmth they exclaimed, "If the parliament has a right to levy the ſtamp duties, they may, by the ſame authority, lay on us impoſts, exciſes, and other taxes, without end, till their rapacity is ſatisfied, or our ability exhauſted. We cannot, at future elections, diſplace theſe men, who ſo laviſhly grant away our property. Their ſeats and their power are independent of us, and it will reſt with their generoſity where to ſtop, in transferring the expenſes of government from their own to our ſhoulders."

It was fortunate for the liberties of America, that newſpapers were the ſubject of a heavy ſtamp-duty. Printers, when uninfluenced by government, have generally arranged themſelves on the ſide of liberty, nor are they leſs remarkable for attention to the profits of their profeſſion. A ſtamp duty, which openly invaded the firſt, and threatened a great diminution of the laſt, provoked their united zealous oppoſition. They daily preſented to the public, original diſſertations, tending to prove, that, if the ſtamp-act was ſuffered to operate, the liberties of America were at an end, and their property virtually transferred to their Tranſ-atlantic fellow ſubjects. The writers among the Americans, ſeriouſly alarmed for the fate of their country, came forward, with eſſays, to prove, that, agreeably to the Britiſh conſtitution, taxation and repreſentation were inſeparable, that the only conſtitutional mode of raiſing money from the coloniſts was by acts of their own legiſlatures, that the crown poſſeſſed no farther power than that of requiſition, and that the parliamentary right of taxation was confined to the mother-country, and there originated, from the natural right of man, to do what he pleaſed with his own, transferred by conſent from the electors of Great Britain to thoſe whom they choſe to repreſent them in parliament. They alſo inſiſted much on the miſapplication of public money by the Britiſh miniſtry. Great pains were taken to inform the coloniſts of the large ſums annually beſtowed on penſioned favourites, and for the various purpoſes of bribery. Their paſſions were inflamed by high-coloured repreſentations of the hardſhip of being obliged to pay the earnings of their induſtry into a Britiſh treaſury, well known (as theſe writers pretended) to be a fund for corruption.

The writers on the American ſide were oppoſed by arguments, drawn from the unity of the empire; the neceſſity of one ſupreme head, the unlimited power of parliament, and the great numbers in the mother-country, who, though legally diſqualified from voting at elections, were nevertheleſs bound to pay the taxes impoſed by the repreſentatives of the nation. To theſe objections

jections it was replied, that the very idea of ſubordination of parts excluded the notion of ſimple, undivided unity: That as England was the head, ſhe could not be *the* head and the members too; that in all extenſive empires, where the dead uniformity of ſervitude did not prevent, the ſubordinate parts had many local privileges and immunities; that between theſe privileges and the ſupreme common authority, the line was extremely nice; but nevertheleſs, the ſupremacy of the head had an ample field of exerciſe, without arrogating to itſelf the diſpoſal of the property of the unrepreſented ſubordinate parts. To the aſſertion, that the power of parliament was unlimited, the coloniſts replied, that before it could conſtitutionally exerciſe that power, it muſt be conſtitutionally formed, and that, therefore, it muſt at leaſt, in one of its branches, be conſtituted by the people over whom it exerciſed unlimited power: That with reſpect to Great Britain, it was ſo conſtituted; with reſpect to America, it was not; they therefore inferred, that its power ought not to be the ſame over both countries. They argued alſo, that the delegation of the people was the ſource of power in regard to taxation, and as that delegation was wanting in America, they concluded, the right of parliament to grant away their property could not exiſt. That the defective repreſentation in Great Britain ſhould be urged as an argument for taxing the Americans, without any repreſentation at all, proved the encroaching nature of power. Inſtead of convincing the coloniſts of the propriety of their ſubmiſſion, it demonſtrated the wiſdom of their reſiſtance; for, ſaid they, "one invaſion of natural right is made the juſtification of another, much more injurious and oppreſſive."

The advocates for parliamentary taxation laid great ſtreſs on the rights, ſuppoſed to accrue to Great Britain, on the ſcore of her having reared up and protected the Engliſh ſettlements in America at great expenſe. It was, on the other hand, contended by the coloniſts, that in all the wars which were common to both countries, they had taken their full ſhare, but in all their own dangers, in all the difficulties belonging ſeparately to their

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ſituation, which did not immediately concern Great Britain, they were left to themſelves, and had to ſtruggle through a hard infancy; and in particular, to defend themſelves, without any aid from the parent ſtate, againſt the numerous ſavages in their vicinity: That when France had made war upon them, it was not on their own account, but as appendages to Great Britain: That confining their trade for the excluſive benefit of the parent ſtate, was an ample compenſation for her protection, and a ſufficient equivalent for their exemption from parliamentary taxation: That the taxes impoſed on the inhabitants of Great Britain were incorporated with their manufactures, and ultimately fell on the coloniſts, who were the conſumers.

The advocates for the ſtamp-act alſo contended, that as the parliament was charged with the defence of the colonies, it ought to poſſeſs the means of defraying the expenſes incurred thereby. The ſame argument had been uſed by king Charles the Firſt, in ſupport of ſhip-money; and it was now anſwered in the ſame manner, as it was by the patriots of that day, "That the people who were defended or protected, were the fitteſt to judge of and to provide the means of defraying the expenſes incurred on that account." In the mean time, the minds of the Americans underwent a total transformation. Inſtead of their late peaceable and ſteady attachment to the Britiſh nation, they were daily advancing to the oppoſite extreme. A new mode of diſplaying reſentment againſt the friends of the ſtamp-act began in Maſſachuſetts, and was followed by the other colonies. A few gentlemen hung out early in the morning of the 14th of Auguſt, on the limb of a large tree, towards the entrance of Boſton, two effigies, one deſigned for the ſtamp-maſter, the other for a jack-boot, with a head and horns peeping out at the top. Great numbers both from town and country came to ſee them. A ſpirit of enthuſiaſm was diffuſed among the ſpectators. In the evening, the whole was cut down and carried in proceſſion by the populace ſhouting, "Liberty and property for ever! no ſtamps!" They next pulled down a new

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building lately erected by Mr. Oliver, the ſtamp-maſter. They then went to his houſe, before which they beheaded his effigy, and at the ſame time broke his windows. Eleven days after ſimilar violences were repeated. The mob attacked the houſe of Mr. William Storey, deputy-regiſter of the court of admiralty, broke his windows, forced into his dwelling-houſe, and deſtroyed the books and files belonging to the ſaid court, and ruined a great part of his furniture. They next proceeded to the houſe of Benjamin Hallowell, comptroller of the cuſtoms, and repeated ſimilar exceſſes, and drank and deſtroyed his liquors. They afterwards proceeded to the houſe of Mr. Hutchinſon, and ſoon demoliſhed it. They carried off his plate, furniture, and apparel, and ſcattered or deſtroyed manuſcripts and other curious and uſeful papers, which for thirty years he had been collecting. About half a dozen of the meaneſt of the mob were ſoon after taken up and committed, but they either broke jail, or otherwiſe eſcaped all puniſhment. The town of Boſton condemned the whole proceeding, and, for ſome time, private gentlemen kept watch at night, to prevent further violence.

Similar diſturbances broke out in the adjacent colonies, nearly about the ſame time. On the 27th of Auguſt, the people of Newport in Rhode Iſland, exhibited three effigies intended for Meſſrs. Howard, Moffatt, and Johnſon, in a cart with halters about their necks, and after hanging them on a gallows for ſome time, cut them down and burnt them, amidſt the acclamations of thouſands. On the day following, the people collected at the houſe of Mr. Martin Howard, a lawyer, who had written in defence of the right of parliament to tax the Americans, and demoliſhed every thing that belonged to it. They proceeded to Dr. Moffatt's, who, in converſation, had ſupported the ſame right, and made a ſimilar devaſtation of his property.

In Connecticut they exhibited effigies in various places, and afterwards committed them to the flames.

In New York, the ſtamp-maſter having reſigned, the ſtamp papers were taken into Fort George, by lieutenant-governor Colden. The people, diſliking his political ſen-

ſentiments, broke open his ſtable, took out his coach, and carried it in triumph through the principal ſtreets to the gallows. On one end of this they ſuſpended the effigy of the lieutenant-governor, having in his right hand a ſtamped bill of lading, and in the other a figure of the devil. After ſome time, they carried the apparatus to the gate of the fort, and from thence to the bowling-green, under the muzzles of the guns, and burned the whole amid the acclamations of many thouſands. They went thence to mayor James's houſe, ſtripped it of every article, and conſumed the whole, becauſe he was a friend to the ſtamp-act.

The next evening, the mob re-aſſembled, and inſiſted upon the lieutenant-governor delivering the ſtamped papers into their hands, and threatened, in caſe of a refuſal, to take them by force. After ſome negotiation, it was agreed, that they ſhould be delivered to the corporation, and they were depoſited in the city-hall. Ten boxes of the ſame, which came by another conveyance, were burned.

The ſtamp act was not leſs odious to many of the inhabitants of the Britiſh Weſt India iſlands, than to thoſe on the continent of North America. The people of St. Kitt's obliged the ſtamp officer and his deputy to reſign. Barbadoes, Canada, and Halifax, ſubmitted to the act.

But when the ſhip which brought the ſtamp papers to Philadelphia, firſt appeared round Glouceſter Point, all the veſſels in the harbour hoiſted their colours half maſt high. The bells were rung muffled till evening, and every countenance added to the appearance of ſincere mourning. A large number of people aſſembled, and endeavoured to procure the reſignation of Mr. Hughes, the ſtamp diſtributor. He held out long, but at length found it neceſſary to comply.

As opportunities offered, the aſſemblies generally paſſed reſolutions, aſſerting their excluſive right to lay taxes on their conſtituents. The people, in their town meetings, inſtructed their repreſentatives to oppoſe the ſtamp-act. As a ſpecimen of theſe, the inſtructions given to Thomas Forſter, their repreſentative, by the free-holders, and other inhabitants of the town of Plymouth,

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are ſubjoined. In theſe the yeomanry of the country ſpoke the determined language of freedom. After expreſſing the higheſt eſteem for the Britiſh conſtitution, and ſetting forth their grievances, they proceeded as follows:

"You, ſir, repreſent a people, who are not only deſcended from the firſt ſettlers of this country, but inhabit the very ſpot they firſt poſſeſſed. Here was firſt laid the foundation of the Britiſh empire, in this part of America, which, from a very ſmall beginning, has increaſed and ſpread in a manner very ſurpriſing, and almoſt incredible, eſpecially when we conſider, that all this has been effected without the aid or aſſiſtance of any power on earth; that we have defended, protected, and ſecured ourſelves againſt the invaſions and cruelties of ſavages, and the ſubtilty and inhumanity of our inveterate and natural enemies, the French; and all this without the appropriation of any tax by ſtamps, or ſtamp-acts, laid upon our fellow-ſubjects, in any part of the king's dominions, for defraying the expenſe thereof. This place, ſir, was at firſt the aſylum of liberty, and we hope will ever be preſerved ſacred to it, though it was then no more than a barren wilderneſs, inhabited only by ſavage men and beaſts. To this place our fathers, (whoſe memories be revered!) poſſeſſed of the principles of liberty in their purity, diſdaining ſlavery, fled to enjoy thoſe privileges, which they had an undoubted right to, but were deprived of, by the hands of violence and oppreſſion, in their native country. We, ſir, their poſterity, the freeholders, and other inhabitants of this town, legally aſſembled for that purpoſe, poſſeſſed of the ſame ſentiments, and retaining the ſame ardour for liberty, think it our indiſpenſable duty, on this occaſion, to expreſs to you theſe our ſentiments of the ſtamp-act, and its fatal conſequences to this country, and to enjoin upon you, as you regard not only the welfare but the very being of this people, that you (conſiſtent with our allegiance to the king, and relation to the government of Great Britain), diſregarding all propoſals for that purpoſe, exert all your power and influence

ence in oppoſition to the ſtamp-act, at leaſt till we hear the ſucceſs of our petitions for relief. We likewiſe, to avoid diſgracing the memories of our anceſtors, as well as the reproaches of our own conſciences, and the curſes of poſterity, recommend it to you to obtain, if poſſible, in the honourable houſe of repreſentatives of this province, a full and explicit aſſertion of our rights, and to have the ſame entered on their public records, that all generations yet to come may be convinced that we have not only a juſt ſenſe of our rights and liberties, but that we never, with ſubmiſſion to Divine Providence, will be ſlaves to any power on earth."

The expediency of calling a continental congreſs, to be compoſed of deputies from each of the provinces, had early occurred to the people of Maſſachuſetts. The aſſembly of that province paſſed a reſolution in favour of that meaſure, and fixed on New York as the place, and the ſecond Tueſday of October, as the time for holding the ſame. Soon after, they ſent circular letters to the ſpeakers of the ſeveral aſſemblies, requeſting their concurrence. This firſt advance towards continental union was ſeconded in South Carolina, before it had been agreed to by any colony to the ſouthward of New England. The example of this province had a conſiderable influence in recommending the meaſure to others, who were divided in their opinions on the propriety of it.

The aſſemblies of Virginia, North Carolina, and Georgia, were prevented by their governors from ſending a deputation to this congreſs. Twenty-eight deputies from Maſſachuſetts, Rhode Iſland, Connecticut, New York, New Jerſey, Penſylvania, Delaware, Maryland, and South Carolina, met at New York; and after mature deliberation agreed on a declaration of their rights, and on a ſtatement of their grievances. They aſſerted, in ſtrong terms, their exemption from all taxes, not impoſed by their own repreſentatives. They alſo concurred in a petition to the king, and memorial to the houſe of lords, and a petition to the houſe of commons. The colonies that were prevented from ſending their repreſentatives to

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this congreſs, forwarded petitions, ſimilar to thoſe which were adopted by the deputies which attended.

While a variety of legal and illegal methods were adopted to oppoſe the ſtamp-act, the firſt of November, on which it was to commence its operation, approached. This in Boſton was uſhered in by a funeral tolling of bells. Many ſhops and ſtores were ſhut. The effigies of the planners and friends of the ſtamp-act were carried about the ſtreets in public deriſion, and then torn in pieces by the enraged populace. It was remarkable that, though a large crowd was aſſembled, there was not the leaſt violence or diſorder.

At Portſmouth, in New Hampſhire, the morning was introduced with tolling all the bells in town. In the courſe of the day, notice was given to the friends of Liberty to attend her funeral. A coffin neatly ornamented, inſcribed with the word *liberty* in large letters, was carried to the grave. The funeral proceſſion began from the ſtate-houſe, attended with two unbraced drums. While the inhabitants who followed the coffin were in motion, minute guns were fired, and continued till the corpſe arrived at the place of interment. Then an oration in favour of the deceaſed was pronounced. It was ſcarcely ended, before the corpſe was taken up, it having been perceived that ſome remains of life were left, at which the inſcription was immediately altered to "Liberty revived." The bells immediately exchanged their melancholy for a more joyful ſound, and ſatisfaction appeared in every countenance. The whole was conducted with decency, and without injury or inſult to any man's perſon or property.

In Maryland, the effigy of the ſtamp-maſter, on one ſide of which was written "Tyranny," on the other "Oppreſſion," and acroſs the breaſt, "Damn my country, I'll get money," was carried through the ſtreets from the place of confinement to the whipping-poſt, and thence to the pillory. After ſuffering many indignities, it was firſt hanged, and then burnt.

The general averſion to the ſtamp-act was, by ſimilar methods, in a variety of places demonſtrated. It is re-

markable that the proceedings of the populace on theſe occaſions were carried on with decorum and regularity. They were not ebullitions of a thoughtleſs mob, but for the moſt part planned by leading men of character and influence, who were friends to peace and order. Theſe, knowing well that the bulk of mankind are more led by their ſenſes than by their reaſon, conducted the public exhibitions on that principle, with a view of making the ſtamp-act and its friends both ridiculous and odious.

Though the ſtamp-act was to have operated from the firſt of November, yet legal proceedings in the courts were carried on as before. Veſſels entered and departed without ſtamped papers. The printers boldly printed and circulated their newſpapers, and found a ſufficient number of readers, though they uſed common paper, in defiance of the act of parliament. In moſt departments, by common conſent, buſineſs was carried on as though no ſtamp-act had exiſted. This was accompanied by ſpirited reſolutions to riſk all conſequences, rather than ſubmit to uſe the paper required by law. While theſe matters were in agitation, the coloniſts entered into aſſociations againſt importing Britiſh manufactures, till the ſtamp-act ſhould be repealed. In this manner Britiſh liberty was made to operate againſt Britiſh tyranny. Agreeably to the free conſtitution of Great Britain, the ſubject was at liberty to buy, or not to buy, as he pleaſed. By ſuſpending their future purchaſes till the repeal of the ſtamp-act, the coloniſts made it the intereſt of merchants and manufacturers to ſolicit for that repeal. They had uſually taken off ſo great a proportion of Britiſh manufactures, that the ſudden ſtoppage of all their orders, amounting annually to ſeveral millions ſterling, threw ſome thouſands in the mother-country out of employment, and induced them, from a regard to their own intereſt, to ſecond the meaſures wiſhed for by America. The petitions from the colonies were ſeconded by petitions from the merchants and manufacturers of Great Britain. What the former prayed for as a matter of right, and connected with their liberties, the latter alſo ſolicited from motives of immediate advantage. In or-

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der to remedy the deficiency of Britiſh goods, the coloniſts betook themſelves to a variety of neceſſary domeſtic manufactures. In a little time, large quantities of coarſe and common cloths were brought to market, and theſe, though dearer, and of a worſe quality, were cheerfully preferred to ſimilar articles imported from Britain. That wool might not be wanting, they entered into reſolutions to abſtain from eating lambs. Foreign elegancies were generally laid aſide. The women were as exemplary as the men in various inſtances of ſelf-denial. With great readineſs, they refuſed every article of decoration for their perſons, and of luxury for their tables. Theſe reſtrictions, which the coloniſts had voluntarily impoſed on themſelves, were ſo well obſerved, that multitudes of artificers in England were reduced to great diſtreſs, and ſome of their moſt flouriſhing manufactories were, in a great meaſure, at a ſtand. An aſſociation was entered into by many of the ſons of liberty, the name given to thoſe who were oppoſed to the ſtamp-act, by which they agreed "to march with the utmoſt expedition, at their own proper coſts and expenſe, with their whole force, to the relief of thoſe that ſhould be in danger from the ſtamp-act, or its promoters and abettors, or any thing relative to it, on account of any thing that may have been done in oppoſition to its obtaining." This was ſubſcribed by ſo many in New York and New England, that nothing but a repeal could have prevented the immediate commencement of a civil war.

Such was the critical ſituation of affairs, ſoon after the new miniſtry was formed. When they entered into their offices, they found that many of their former ſubalterns were either dead, ſequeſtered in retirement, or allied to the enemy; even the marquis of Rockingham, firſt lord of the treaſury, was at a loſs for a private ſecretary of competent talents; when Mr. Fitzherbert, of Tiſſington in Derbyſhire, recommended to his lordſhip Mr. Edmund Burke.

The parliament met on the ſeventeenth of December, when the importance of the intelligence from America was announced from the throne as the reaſon why the

two houſes were aſſembled ſooner than was intended, that they might prepare to proceed immediately after the receſs to the conſideration of the weighty matters which would be laid before them.

After the holidays, on the 14th of January 1766, both houſes proceeded to buſineſs. Petitions were received from the merchants of London, Briſtol, and ſeveral other trading towns, ſetting forth the great decay of their commerce, owing to the new laws and regulations made for America.

On the uſual motion for an addreſs, the friends of the new miniſtry ſpoke very tenderly of the diſturbances which had ariſen in America, in oppoſition to the ſtamp-act, terming them only *occurrences*; which gave great offence to the friends of the late miniſtry, by whom that act had been paſſed. Mr. Pitt made an able ſpeech on this occaſion, and aſſerted (turning himſelf to Mr. Grenville) of the late miniſtry, that every capital meaſure they had taken had been entirely wrong. As to the gentlemen then in office, he ſaid, he had no objection to them (looking at Mr. Conway), he had never been made a ſacrifice by any of them. Their characters were fair. Some of them had done him the honour to aſk his opinion before they would engage; but that, by comparing events with each other, and reaſoning from effects to cauſes, he thought he plainly diſcovered the traces of an over-ruling influence, and therefore could not give them his confidence. He obſerved, that there was a clauſe in the act of ſettlement to oblige every miniſter to ſign his name to the advice which he gives his ſovereign; and he wiſhed it was obſerved. It was indifferent to him, whether a man was rocked in his cradle on this or that ſide of the Tweed. He ſought for merit wherever it was to be found, and he found it among the mountains of the north.

In the courſe of his ſpeech he urged many arguments in favour of the right in the colonies to tax themſelves; but neither his reaſoning nor the facts contained in the petitions could prevail on the party who had reſolved on the ſupport of the ſtamp-act, at all events, to remit, in the leaſt, of their ardour. They contended that the petitions

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were merely the effects of miniſterial artifice, and that if the diſtreſs of trade, from a due exertion of the authority of parliament, had been as great as it had been repreſented; yet it was better to ſubmit to this temporary inconvenience, than, by a repeal of the act, to hazard the total loſs of the juſt ſuperiority of Great Britain over her colonies. While the miniſtry aſſerted that the legiſlature of Great Britain had the right of taxing the colonies, they inſiſted on the inexpediency of the preſent tax, as ill adapted to the condition of the colonies, and built upon principles ruinous to the trade of this country.

Thoſe who oppoſed the right of taxation, produced many learned authorities from Locke, Selden, Harrington, and Puffendorff, indicating that the very foundation and ultimate point in view of all government, is the good of ſociety: That it appeared by Magna Charta, and by the ſeveral writs upon record iſſued for the purpoſe of raiſing taxes for the crown, and for ſending repreſentatives to parliament, as well as by the whole hiſtory of our conſtitution, that no Britiſh ſubject can be taxed but *per commune conſentum parliamenti*; and that this right equally belonged to the firſt, and all Britiſh ſubjects who emigrated to America: That the counties palatine of Cheſter, Durham, and Lancaſter, were not taxed, but in their own aſſemblies or parliaments; till, at different periods of our hiſtory, they were melted into our preſent form of parliamentary repreſentation: That the body of the clergy, till very lately, taxed themſelves, and granted the king benevolences. The parliament would not tax the clergy, until they were repreſented in that aſſembly.

The charters of the colonies, which are derived from prerogative, and are in fact only ſo many grants from the crown, are not the only rights the coloniſts have to being repreſented before they are taxed: They, as Britiſh ſubjects, trace their rights and liberties from a higher origin than their charters only; they have them from Magna Charta, and from the natural right of the ſubject. If the firſt inhabitants of the colonies had renounced all connexion with the mother-country, they might have loſt

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their original right; but they emigrated under the authority of the crown, and left this country at the hazard of their lives, with the great privileges of Engliſhmen in their full poſſeſſion. But at the ſame time, they were not bound by the penal laws of this country, from the ſeverity of which they fled, to climates remote from the heavy hand of power, where they hoped to find more friendly principles of civil and religious liberty. The inhabitants of America, once removed from the domeſtic legiſlation of the mother-country, it was argued, were no more dependant upon it in the general ſyſtem, than the Iſle of Man is, or than, in the feudal ſyſtem of Europe, many ſubordinate principalities are dependant upon the lord paramount, but owe only a limited obedience.

The celebrated Mr. Pitt took a conſiderable ſhare of the debate on this ſide the queſtion, and ſaid, "that he rejoiced that America had reſiſted. Three millions of people, ſo dead to all the feelings of liberty, as voluntarily to ſubmit to be ſlaves, would have been fit inſtruments to make ſlaves of the reſt: That he did not come down to that houſe, armed at all points with law caſes and acts of parliament, with the ſtatute books doubled down in dog's ears, to defend the cauſe of liberty." He concluded with declaring it as his opinion "that the ſtamp-act be *repealed*, *abſolutely*, *totally*, and *immediately*: That the reaſon of the repeal be aſſigned, becauſe it was founded on an erroneous principle. At the ſame time, let the ſovereign authority of this country over the colonies be aſſerted in as ſtrong terms as can be deviſed, and be made to extend to every point of legiſlation whatſoever: That we may bind their *trade*, confine their manufactures, and exerciſe every power whatſoever, except that of taking their money out of their pockets, without their conſent."

Thus it appears, that thoſe who contended for the repeal were divided in opinion as to the right of taxation; the more numerous body, among whom were the miniſtry, inſiſted that the legiſlature of Great Britain had an undoubted right to tax the colonies. Among the various arguments they urged, the principal was, "that the colonies

donies emigrated under the ſanction of the crown and parliament; and, though their governments were modelled by charters, grants, and ſtatutes, they were never emancipated, much leſs diſmembered. They do not themſelves deny their dependance on the crown. How then can they help acknowledging their dependance on parliament, when both are inſeparable, and conſtitute one ſingle, undivided, and indiviſible authority?"

The ſubject was ably and learnedly treated in both houſes, and that with conſiderable moderation and temper. Upon the queſtion being put, the power of the legiſlature of Great Britain over her colonies, in all caſes whatſoever, and without any diſtinction with regard to taxation, was confirmed and aſcertained without a diviſion *. Many of the members who voted for this declaratory act were induced to that meaſure, more from a ſenſe of the evil conſequences that would flow from the contrary doctrine, than from any opinion of its future uſe in regular taxation. They ſaw that the forcible reaſons aſſigned againſt the power and right to tax the colonies gave a rude ſhock to our whole legiſlative authority over them.

The oppoſition now changed their ground, and reſted their principal defence upon the late reſolutions. They contended that the total repeal of the ſtamp-act, while ſuch an outrageous reſiſtance continued, would for the future leſſen the authority of Great Britain, and make it appear even contemptible.

The inability of the coloniſts to comply with the terms of the ſtamp-act was alſo denied: In ſupport of which, it was aſſerted that of the debt contracted by them in the laſt war 1,755,000l. had been already diſcharged, and that the remaining 763,000l. would be diſcharged in two years more. This was adduced as a proof of their being able, though unwilling, to eaſe the mother-country of her heavy burdens.

* In the courſe of this debate, Mr. Burke made his firſt ſpeech in parliament, and Mr. Pitt complimented him upon it.

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To this the miniſtry anſwered with great force and conviction, that they had ſufficiently provided for the honour, dignity, and ſuperiority of Britain, by the late reſolutions, upon which the declaratory act was founded, which had ſecured it from the leaſt imputation of weakneſs or timidity, and conſequently from any freſh inſults, excited by the inſolence of ſucceſs. The fact alleged by thoſe on the other ſide the queſtion, namely the heavy debt contracted by the Americans, in the courſe of the war, ſufficiently proved that they contributed largely to the public expenſe, and their having ſince paid only a part of it, might induce parliament to conclude they had contributed to the extent of their abilities. Further, the aſſertion that they did not pay a ſhare of the public burdens is totally contradicted by facts. They paid port-duties laid by parliament, previous to the ſtamp-act, and many duties impoſed by provincial authority; a land-tax in many provinces; a heavy poll-tax, and a faculty-tax upon all perſonal eſtates and acquiſitions, amounting in ſome provinces to five or ſix ſhillings in the pound. The other arguments of miniſters for the repeal were drawn from the evil conſequences which would enſue from enforcing the ſtamp-duties by coercive means, which were evidently all that were left, from the conſideration of their being univerſally obnoxious. Four millions of debt due to our merchants from the Americans, an annual trade worth four millions more, and the depreſſion of our home manufactures, would all be in danger.

Theſe and many other arguments were made uſe of upon this intereſting occaſion, and finally, the bill for a repeal paſſed by a majority of 275 to 167, notwithſtanding the vigour with which the oppoſition was ſupported, and it was carried up to the lords by above two hundred members of the houſe of commons. The eclat with which the repeal was introduced into the upper houſe did not prevent its meeting with a ſtrong oppoſition there: Thirty-three lords entered a proteſt againſt it at the ſecond reading, and twenty-eight at the third; it paſſed by a majority of thirty-four, and in three days after (March 18) received the royal aſſent; An event

which

which produced almoſt univerſal joy throughout the Britiſh dominions.

Soon afterwards a bill paſſed to indemnify thoſe who had incurred penalties on account of the ſtamp-act, and a requiſition was made by government to the American colonies to indemnify ſuch perſons as had ſuffered in the late riots, by making them a proper compenſation for the loſſes they had ſuſtained; which was accordingly done. The miniſtry, to add to the popularity they had gained by the repeal of the ſtamp-act, brought in a bill for the repeal of the cider-act, for laying another duty in the room of the former, and for changing the mode of collecting it. This we have ſeen had been the moſt obnoxious act which had paſſed for ſome time, to the people in general, and to the cider counties in particular.

In conſequence of ſome information acquired in conference with ſeveral Weſt India merchants relative to the affairs of the colonies, and from petitions from ſeveral trading towns in England, a bill was paſſed in the month of June, for opening free ports, under certain reſtrictions, in different parts of the Weſt Indies. For the further ſecuring of the perſonal liberty of the ſubject, the legiſlature came to ſome reſolutions, which declared the taking up of perſons by general warrants, or the ſeizing of their papers, except in ſuch caſes as were preſcribed by act of parliament, to be illegal.

Thoſe who had not conſidered the fluctuating ſtate of adminiſtrations for ſeveral years paſt were inclined to imagine that, from the popularity the Rockingham miniſtry had gained by their recent conduct, they were ſecurely fixed in their ſeats. But, to the infinite ſurpriſe of the nation, an unexpected change took place about this time; for on the 30th of July the duke of Grafton was appointed to the head of the treaſury, in the room of the marquis of Rockingham; the earl of Shelburne, ſecretary of ſtate, in the room of the duke of Richmond; lord Camden, lord chancellor, in the room of the earl of Northington; the right honourable C. Townſhend, chancellor of the exchequer, in the room of Mr. William Dowdeſwell; and the right honourable William Pitt

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(created ſome days before viſcount Pynſent, and earl of Chatham), lord privy-ſeal. Many other changes took place in all the different departments of ſtate. The various negotiations for theſe new arrangements being curious and intereſting to readers deſirous of becoming acquainted with the more minute tranſactions between monarchs and their courtiers, we will give ſuch an account of them as we find recorded among the *Anecdotes* of one of the principal actors *.

" The miniſtry having ſhown an inclination to reverſe the ſyſtem of lord Bute, he took a reſolution to remove them. He was no longer terrified by threats of impeachment. The duke of Bedford had connived ſo long, his grace could not now bring forward his menaced accuſation upon any ground or pretence of public principle. He had moreover been recently ſtigmatized by violent marks of popular odium †. His grace was not at this time, in the judgment of the favourite, an object of dread or reſpect.

" Lord Bute's attention at this period, was directed to another nobleman. Since the reconciliation between lord Temple and his brother Mr. Grenville, there had commenced a coolneſs between his lordſhip and Mr. Pitt, and between his lordſhip and Mr. James Grenville. They imagined, from ſeveral circumſtances, that their brother had ſupplanted them in his lordſhip's favour and confidence. To diſſolve all great connexions had been lord Bute's favourite maxim, from the moment of his acceſſion to power. Nothing, therefore, could be more favourable to his project than this family diviſion. He reſolved to ſeize the opportunity which this circumſtance ſeemed to offer. Accordingly, a few days after the meeting of parliament, when Mr. Pitt had given the deciſion for the repeal

* Anecdotes of the Life of the Earl of Chatham, vol. ii. p 57.

† By the Spitalfields weavers, who had aſſembled in multitudes before his houſe.

of the ſtamp-act, which Mr. Grenville had oppoſed, he ſolicited an interview with lord Temple and Mr. Grenville, for the purpoſe of forming a new adminiſtration. His firſt application was to lord Eglintoun, between whom and lord Temple there ſubſiſted a very warm friendſhip. Lord Eglintoun opened his commiſſion to lord Temple at lord Coventry's, where they dined on the firſt Sunday after the meeting of parliament. The converſation began upon the affairs of America, in which the three lords agreed in opinion, that a repeal of the ſtamp-act would be a ſurrender of the authority of the Britiſh legiſlature over the colonies. Lord Eglintoun, finding that lord Temple was of their opinion, ſaid to his lordſhip, 'Let us talk no more upon that ſubject here, but let us go to your brother.---Has your lordſhip received no meſſage from him?' Lord Temple ſaid, he had not: And in a few minutes after they went to Mr. Grenville's. This matter had been more explicitly opened to Mr. Grenville, by Mr. Cadogan, now lord Cadogan, and Mr. Grenville had requeſted lord Suffolk to acquaint the duke of Bedford with it. Upon ſeeing his brother, he inſtantly told him, without being aſked a queſtion, 'that an opening had been made to him of an accommodation with lord Bute, and that he wanted to conſult his lordſhip upon making the duke of Bedford a party to the affair.' Lord Temple replied, 'that he might do as he pleaſed; but that he himſelf would have no concern in the matter.'

"Another channel to lord Temple was then purſued. This was by Mr. W. G. Hamilton, who was in the moſt confidential intimacy with his lordſhip, and who, from the time of the ſeparation of Mr. James Grenville, was intended to be his chancellor of the exchequer, if ever he accepted of the treaſury. But Mr. Hamilton, knowing his lordſhip's temper and reſolution with reſpect to lord Bute, did not warmly recommend the propoſition.

"Next day (Monday) lord Eglintoun went to Mr. Grenville's, to deſire him to meet lord Bute at his houſe; but Mr. Grenville was gone to the houſe of commons;

mons; upon which lord Eglington went there to him; but meeting with Mr. Stuart Mackenzie, he incautiously told him of the intended meeting, and that gentleman immediately informed lord Holland, who seeing lord Bute a few moments after, told his lordship, 'That he was going to do a very foolish thing; but as he had gone so far he must not stop; but give them the meeting, hear what they had to propose, and then leave them.'

"Lord Temple called upon his brother just as he had returned from the house of commons. In a minute or two afterwards, lord Eglintoun came in; and being rejoiced to see his lordship, begged he would stay there ten minutes, while he went home. Lord Temple said he could not stop so long; that he was going to the house of lords upon particular business, and it was growing late. Lord Eglintoun then desired he would stay only five minutes. This was refused. Lastly, he requested only three minutes; and this was refused also. But in the expostulation it came out, that it was to meet lord Bute, who lord Eglintoun supposed was, by this time, waiting at his own house, and he wished to fetch him. At length, pressing the matter very earnestly, lord Temple answered warmly, *By G—d I will not*;—that was his expression, and immediately stepped into his carriage.

"The duke of Bedford and Mr. Grenville met lord Bute at lord Eglintoun's. The conference was very short: Lord Bute followed lord Holland's advice---he heard them---and then left them. He afterward said to lord Eglintoun, that he did not meet the person he wanted to meet (lord Temple), but the person he did not want to meet (the duke of Bedford). Some time afterwards, Mr. Pitt mentioned this meeting in the house of commons. Mr. Grenville did not deny it; but said, 'That the single proposition made, or point spoken of, was relative to the best means of preventing the intended repeal of the stamp-act. No other subject was mentioned.'

"Notwithstanding the ill success of this project, lord Bute found means, through one of the princess's confidants, to amuse lord Temple with assurances, that a

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carte-blanche would, in a very little time, be offered to him: And this manœuvre was managed ſo well, that he was completely duped by it: He believed the aſſurances for ſome time. The deſign was to engage him warmly in the oppoſition to the repeal of the ſtamp-act; and he fell into the ſnare. Having implicitly adopted the American politics of his brother, the American politics of the court became an eaſy, and almoſt a natural gradation.

"During the progreſs of the bill for the repeal of the ſtamp-act, it was ſtrongly inſinuated in parliament, that the bill was very far from being agreeable to the king; upon which lord Rockingham aſſerted, that his majeſty's approbation of the meaſure was clear and unequivocal. Next day, lord Strange maintained the contrary---that his majeſty highly diſapproved of the bill. Lord Rockingham was greatly ſurpriſed by this explicit declaration from lord Strange; and at his next audience of the king, he requeſted the honour of his majeſty's opinion in writing; which the king refuſed to give. This circumſtance was an indiſputable proof, that notwithſtanding the late negotiation had not ſucceeded, yet his majeſty withheld his confidence from his preſent ſervants. Another change of miniſters was doubtleſs in contemplation; although no freſh applications for that purpoſe were yet made.

"However unfortunate theſe miniſters might be in the cloſet, yet they rendered great and important ſervices to the country. Their proceedings and conduct are well known; they are to be found in the public accounts of the time: But there is one meaſure of that adminiſtration which has been very imperfectly ſtated. It is concerning Dunkirk.

"This point, of frequent and anxious diſcuſſion, ſeems to have been miſtaken by the Britiſh miniſters, prior and ſubſequent to lord Rockingham. From the peace of Utrecht, in the year 1713, to the month of September 1765, all our demands concerning the demolition of Dunkirk have originated in a wrong principle. We have inſiſted upon levelling the ramparts, upon filling up the cunette, &c. Theſe were immaterial points, to which

which the French court consented, after some affected hesitation. The fortifications on the land side are of no consequence to England. It was the harbour alone that ought to have engaged our attention. Lord Rockingham saw this mistake; in his administration only, was the demolition of the harbour seriously attempted: And had he remained a little longer in office, it must have been accomplished. His demands were directed to the jettees which protect the channel to the harbour, and without which the harbour becomes totally unserviceable. These jettees are two piers, which project about three quarters of a mile from the harbour into the sea; and are about twelve feet high from low-water mark: Between them is the channel into the harbour. His lordship ordered a breach to be made in the eastern jettee, near the middle, sufficient to admit the sea. All Dunkirk was instantly filled with alarm. They saw the ruin of the harbour was inevitable. A few tides made the fact clear. The sand was driven through the breach with such astonishing velocity, it was fully manifest the channel must be entirely choaked in a few days more. Had this breach been made larger, which was intended; and another made lower down towards the sea, which was also intended, the harbour must have been so effectually rendered useless, that nothing larger than a row-boat, or a pilot, could have got into it. The French immediately saw the effect of this small breach, and instantly put a stop to the progress of the workmen. The reader is to observe, that in all the stipulations our court has made with France, respecting Dunkirk, a kind of childish delusion has constantly been admitted;---this was---the French were to employ their own people to execute our demands, and we were to send our surveyors to examine and report the state of their operations. Our surveyors had no control over the workmen; and if the French governor, at any time, chose to put a stop to their labour, we could not oblige them to resume their work. The surveyors might return to England, and, upon their report, the British ambassador at Paris was usually instructed to remonstrate; which commonly produced an evasive answer. The surveyors have been sent back, and the same farce has

has been played over again. In this manner have the negotiations concerning Dunkirk been continued, dropped, and revived, from the year 1713. As a proof that lord Rockingham was right in this matter, we need only obſerve the conduct of the French, in this particular, ſince the treaty 1782, by which was ſurrendered all claim and concern reſpecting Dunkirk. Inſtead of repairing the fortifications, on the demolition of which we formerly ſo ſtrenuouſly inſiſted, or opening the cunette, or paying any regard whatever to the land ſide, their whole attention has been directed to widening, deepening, and enlarging the harbour. They have made it capacious, ſafe, and convenient. Thoſe who think Dunkirk a place of no danger to the commerce of London, may find their miſtake in a future day.

" During this adminiſtration, Mr. Wilkes returned from France to London; and there was ſome communication between the miniſters and him. The following is Mr. H. Cotes's account of this, tranſcribed *verbatim* from his own manuſcript:

" ' Monday the 12th of May 1766, Mr. Wilkes arrived in town from France, with Mr. Mackleane (formerly in partnerſhip with Mr. Stewart, in a druggiſt's ſtore at Philadelphia). He was very intimate with Mr. Burke, through whoſe intereſt he was made governor of the iſland of St. Martin. Mr. Wilkes had a lodging at Mr. Stewart's, in Holles-ſtreet, Cavendiſh-ſquare. Mr. Cotes did not know of his coming till he ſaw the account of his arrival in the Evening Poſt of Tueſday, at his houſe at Byfleet. He immediately came to town, when he found a note from Mr. Wilkes, deſiring to ſee him. He went immediately; when Mr. Wilkes acquainted him that he was come to demand a performance of the repeated promiſes of the miniſters, which he had in writing; viz. to give him a general pardon, five thouſand pounds in caſh, in lieu of what he might receive from a fine from lord Halifax, and fifteen pounds per annum, for forty years, upon Ireland. He ſaid, he had ſeen ſeveral people from the miniſters, expreſſed great wrath againſt lord Temple for his ſtrong oppoſition to their mea-

measures; that he had told them, he had very many and singular obligations to lord Temple; and if that was not the case, he had so great a regard for lord Temple's public and private virtues, that nothing under heaven should induce him to do any thing that would give that noble lord a moment's uneasiness. He desired me to communicate this to lord Temple, and to assure him of his best respects in person; but, as he was in an interesting negotiation with the present ministers, he hoped his lordship would excuse him. I went immediately to lord Temple's bed-side, and related the above to him. He seemed extremely satisfied with Mr. Wilkes's conduct, and wished most heartily that the ministers might be as good as their promises. He desired me to convey his kind compliments to Mr. Wilkes, and to assure him of his friendship, and approbation of his conduct upon the present occasion; at the same time, he told me, that he was very certain that lord Rockingham had not the least intention of serving Mr. Wilkes, and feared they would deceive him.

" ' I saw Mr. Wilkes next morning, and found Mr. S. Luttrell * with him. I thought that a good omen for Mr. Wilkes, as I knew Luttrell to be a friend of lord Bute; and I knew, without that dictator's consent or approbation, nothing would be done for my poor friend: However, I found afterwards, that Luttrell only came upon private business. Mr. Wilkes was extremely well satisfied with lord Temple's answer to him, but seemed to think he should succeed with the ministers. He continued in the same sentiments all that week; though I often told him, from the best and most authentic information, that I heard they never had spoken to the king about him, nor dared they to do it. I went out of town, as usual, on Saturday, and returned on Monday; when I found my friend much lowered in his expectation; but said he should see Mr. Fitzherbert next day, and hoped things would go better. The next day, he told me he had got into a *scrape*, and believed he had

* Afterwards lord Carhampton.

been

been deceived, and that my information was true, viz. that the miniſters did not intend doing any thing for him; he ſaid Mr. Fitzherbert had aſked him, in the name of lord Rockingham, for a *carte-blanche*, to leave it to his lordſhip to do as he thought proper. To which Mr. Wilkes anſwered that he knew Mr. Fitzherbert to be a man of honour, and if the buſineſs was to paſs between them, he ſhould have no ſort of objection; but wiſhed Mr. Fitzherbert to recollect, that he himſelf had told him the day before, that lord Rockingham had broken his word with him ten times, and then wiſhed Mr. Fitzherbert to declare whether he would truſt him?

" ' The next day (Wedneſday), he ſeemed to have ſome more pleaſing hopes, having ſeen Mr. Roſe Fuller *, Mr. G. Onſlow, the late ſpeaker's ſon, and ſir W. Baker. He then told me, that they had ſaid the king was poſſeſſed with a notion, that the miniſters had ſent for him on purpoſe to embarraſs his affairs, and that it would take time to diſabuſe the royal ear. I immediately made inquiry after the truth of this aſſertion, and found it totally void of truth, and that the name of Wilkes had never reached the royal ear, by any of his miniſters. Of this I informed him.

" ' I found this day (Friday) that they had preſſed him much to go back to France, but that he had abſolutely refuſed them, and deſired I would get him a private lodging in Surrey, near the Thames, to facilitate his eſcape, in caſe of neceſſity. I went next day to Mr. Jonathan Tyers, who very genteelly offered his houſe at Dorking, but that was thought to be too far off. I went to Byfleet on Saturday, and left him to go on Sunday and ſee a houſe Mr. Tyers had provided for him. I offered

* It is an intereſting anecdote of this gentleman, that he was violent in oppoſition to ſeveral miniſters; particularly on all queſtions concerning Britiſh liberty and American policy; and when he died, in the year 1777, it was diſcovered he had received a penſion from the court for many years. His warmth and apparent zeal induced every oppoſition to admit him into their confidence.

him,

him Byfleet; but he objected, that it would be too public, and that it would be declaring againſt the preſent miniſters, as they knew my enmity to them.

" ' On my return on Tueſday, I found he had given over all hopes of ſucceſs from the miniſters, and deſired I would ſee Philips (his ſolicitor), and Meſſrs. Glynn and Dunning, to conſult what was proper to be done, previous to his ſurrender on the Friday following (the firſt day of Term), as he was firmly reſolved to ſtand all chances; and ſaid, he had told Meſſrs. Burke and Fitzherbert that he had taken that reſolution, and that if they wanted to ſee a ſteadier man than him, they muſt go to Corſica to find one.

" ' I appointed Philips to meet at Mr. Wilkes's next day, in the evening, and we went to ſerjeant Glynn's houſe, in Bloomſbury-ſquare, who was ſo obliging as to accompany us to Mr. Wilkes's, and ſtayed there the whole evening. Our diſcourſe ran upon the means to be taken, either to appear perſonally, or by attorney, to reverſe the outlawry; but as the ſerjeant had not conſidered of the matter, the conſultation was deferred until next morning, when Mr. Dunning was to meet.

" ' I found ſir W. Baker and Mr. Fitzherbert at Mr. Wilkes's door next morning, going into ſir William's chariot; who ſaid to me, " that he was going upon an embaſſy for my friend within doors." I found Meſſrs. Glynn and Dunning in the dining-room with Mr. Wilkes and Philips, and a good deal of diſcourſe upon the proceedings upon writs of error, &c. paſſed; but Mr. Wilkes was deſired to ſuſpend any reſolution being taken, until the return of ſir W. Baker and Mr. Fitzherbert, which happened in about two hours; when after a long converſation with them, and lord Rockingham's ſecretary, Mr. Burke, who came with them, Mr. Wilkes came up ſtairs and told us, that, as he could not reverſe his outlawry, either by error or appearance, until November term, and as he did not chuſe to ſurrender and lie in priſon all that time, he had determined to go abroad again. He told me, that they had not given him any money, nor would lord Rockingham make him any promiſe;

miſe; and that he had been forced to borrow one hundred pounds of Mr. Fitzherbert, as a private friend. He had received one hundred and thirty pounds before, from the ſubſcription of one thouſand pounds *per annum*, promiſed by the miniſtry, of Mr. Fitzherbert; which made the whole received of this boaſted affair, ſix hundred and thirty pounds for the year 1765. Mr. Wilkes ſaid he would certainly come in November, and take his chance.

" ' Sir W. Baker aſked lord Rockingham what he intended to do for Mr. Wilkes? Lord Rockingham anſwered, Mr. Wilkes muſt truſt to his honour. Sir W. Baker ſaid, he would certainly have no objection to do that, but thought that ſomething ſhould be mentioned of his intentions; that if his lordſhip would give his honour to intercede with the king for his pardon, or do any thing elſe in his power for his ſervice, he would acquaint Mr. Wilkes, who would be ſatisfied with reſpect to time, &c. But as to truſting to his lordſhip's honour at large, he would conſtrue that as a neglect of Mr. Wilkes; and ſhould acquaint him, that he had nothing to expect from his lordſhip, and that he ſhould look upon this as a ſlight of himſelf: And deſired that Mr. Burke might go with him to Mr. Wilkes, to whom he delivered the above meſſage.'

" When the peace of the American colonies had been ſettled, the miniſtry took into conſideration the ſtate of Canada; for which great province, the late miniſters had provided no conſtitution. This defect they conceived it neceſſary to ſupply; and for this purpoſe, they drew the outlines of a plan of government, preparatory to a bill. This plan, or principal features of one, was ſubmitted to the chancellor (lord Northington), who, ſo far from approving of it, or offering to correct it, condemned the whole meaſure in the moſt violent terms of indignation and intemperance. It is to be obſerved, that the chancellor had never been cordially their friend; and he ſeemed eagerly to ſeize this opportunity of expreſſing his diſlike. His manners were not of the moſt gentle kind, nor was his language very poliſhed, whenever he indulged in his

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natural diſpoſition of reproach; harſh and bitter, vulgar and brutal, were epithets frequently applied to his character by many of thoſe whoſe intercourſe with him gave them a knowledge of his manners; and, perhaps, upon no event in his life, they were more juſtly merited than the preſent. He went to the king, and complained to his majeſty of the unfitneſs of his ſervants; he told the king, in the terms of the utmoſt plainneſs, that the preſent miniſters could not go on, and that his majeſty muſt ſend for Mr. Pitt.

"It is eaſy to conceive, from the oppoſition the miniſters had met with, as well in parliament as at court, that this advice was agreeably received. In conſequence of it, his majeſty commiſſioned the chancellor to confer with Mr. Pitt on the ſubject of a new arrangement.

"Lord Northington opened his negotiation with Mr. Pitt, through the channels of the duke of Grafton and Mr. Calcraft. Mr. Pitt was at that time at his new eſtate in Somerſetſhire; from which place he was ſent for. He arrived in London on the 11th of July; and the ſame evening he had a conference with lord Northington.

The duke of Grafton had lately reſigned his office of ſecretary of ſtate, and attached himſelf to Mr. Pitt; this attachment he had publicly avowed in the houſe of lords. When it was indiſputably clear, that lord Rockingham's adminiſtration was not honoured by the countenance and ſupport of Mr. Pitt, not only the duke of Grafton, but ſeveral other perſons *, refuſed to con-

* Lord Shelburne refuſed the board of trade, and colonel Barre vice-treaſurer of Ireland.

His lordſhip refuſed alſo the embaſſy to Paris.

Lord North refuſed the exchequer, alſo vice-treaſurer of Ireland.

Lord Townſhend refuſed to go to Paris or Madrid.

Lord Egmont refuſed the ſeals reſigned by the duke of Grafton.

Lord Hardwicke refuſed them likewiſe.

Lord Lyttelton refuſed a cabinet ſituation.

tribute

tribute their assistance; from an apprehension, that a new administration would in a short time be appointed, of which each man flattered himself with becoming a part, under the idea of forming a more comprehensive system. Nobody doubted the honour and integrity of lord Rockingham; it was even admitted, that his administration had been regulated and conducted on the purest principles of patriotism; yet there was not virtue enough in the country to support him.

"Those who assert, that lord Bute was not consulted, nor gave any advice upon this occasion, must forget all the preceding facts since the death of George the Second, and must deny his nocturnal visits, at this time, to the king's mother at Carlton-house. Lord Northington did not indeed begin his negotiation with Mr. Pitt under the immediate and personal directions of lord Bute, but lord Bute's influence pervaded through a higher channel.

"Lord Northington offered Mr. Pitt a carte-blanche. Although Mr. Pitt did not dispute his lordship's authority or veracity, in making this offer, yet he wished to have it confirmed by the king. Mr. Pitt was introduced to the king at Richmond. The conference was very short. His majesty confirmed the offer made by his chancellor; and added, that he had no terms to propose. He put himself into his (Mr. Pitt's) hands. This was on Saturday the 12th of July. In the evening Mr. Pitt had another conference with the chancellor, and afterwards with general Conway, with whom he settled the principal arrangements. Next day (Sunday) the chancellor, by his majesty's command, sent for lord Temple, who was at Stowe in Buckinghamshire. His lordship came to town on the 14th. Next morning he waited upon the king at Richmond, before he saw Mr. Pitt. The king acquainted his lordship with the offer that had been made to Mr. Pitt; and added, that he expected his lordship would assist Mr. Pitt in forming the arrangements. Next day, which was the 16th, "his lordship received a very affectionate letter from Mr. Pitt, then at North End, Hampstead, desiring to see his lordship there, as

his health would not permit him to come to town. His lordſhip went; and Mr. Pitt acquainted him, that his majeſty had been graciouſly pleaſed to ſend for him, to form an adminiſtration; and as he thought his lordſhip "indiſpenſable," he deſired his majeſty to ſend for him, and put him at the head of the treaſury; and that he himſelf would take the poſt of privy-ſeal. Mr. Pitt then produced a liſt of ſeveral perſons, which, he ſaid, he had fixed upon to go in with his lordſhip; and which, he added, was not to be altered. Lord Temple ſaid, that he had had the honour of a conference with his majeſty at Richmond the evening before, and that he did not underſtand, from what paſſed between them, that Mr. Pitt was to be abſolute maſter, and to form every part of the adminiſtration; if he had, he ſhould not have given himſelf the trouble of coming to Mr. Pitt upon that ſubject, being determined to come in upon an equality with Mr. Pitt, in caſe he was to occupy the moſt reſponſible place under government. And as Mr. Pitt had choſen only a ſide-place, without any reſponſibility annexed to it, he ſhould inſiſt upon ſome of his friends being in the cabinet offices with him, and in whom he could confide: Which he thought Mr. Pitt could have no objection to, as he muſt be ſenſible he could not come in with honour, unleſs he had ſuch nomination; nor did he deſire, but that Mr. Pitt ſhould have his ſhare of the nomination of his friends. And his lordſhip added, that he made a ſacrifice of his brother Mr. G. Grenville, who, notwithſtanding his being entirely out of place, and excluded from all connexion with the intended ſyſtem, would nevertheleſs give him (lord Temple) all the aſſiſtance and ſupport in his power: That it was an idea to conciliate all parties, which was the ground that had made Mr. Pitt's former adminiſtration ſo reſpectable and glorious, and to form upon the ſolid baſis of union, an able and reſponſible adminiſtration; to brace the relaxed ſinews of government, retrieve the honour of the crown, and purſue the permanent intereſt of the public: But that if Mr. Pitt inſiſted upon a ſuperior dictation, and did not chuſe to join in a

plan designed for the restoration of that union, which at no time was ever so necessary, he desired the conference might be broken off, and that Mr. Pitt would give himself no further trouble about him, for that he would not submit to the proposed conditions.

"'Mr. Pitt, however, still insisted upon continuing the conference; and asked, who those persons were whom his lordship intended for some of the cabinet employments? His lordship answered, that one in particular was a noble lord of approved character, and known abilities, who had last year refused the very office now offered to him (lord Temple), though pressed to it in the strongest manner, by the duke of Cumberland and the duke of Newcastle; and who being their common friend, he did not doubt Mr. Pitt himself had in contemplation. This worthy and respectable person was lord Lyttelton. At the conclusion of this sentence, Mr. Pitt said, Good God! how can you compare him to the duke of Grafton, lord Shelburne, and Mr. Conway? Besides, continued he, I have taken the privy-seal, and he cannot have that. Lord Temple then mentioned the post of lord president: Upon which Mr. Pitt said, that could not be, for he had engaged the presidency: But, says he, lord Lyttelton *may have a pension*. To which lord Temple immediately answered, that would never do; nor would he stain the bud of his administration with an accumulation of pensions. It is true, Mr. Pitt vouchsafed to permit lord Temple to nominate his own board; but at the same time insisted, that if two persons of that board (T. Townshend and G. Onslow, esqrs.) were turned out, they should have a compensation, *i. e.* pensions.

"'Mr. Pitt next asked, what person his lordship had in his thoughts for secretary of state? His lordship answered, lord Gower, a man of great abilities, and whom he knew to be equal to any Mr. Pitt had named, and of much greater alliance; and in whom he meant and hoped to unite and conciliate a great and powerful party, in order to widen and strengthen the bottom of his administration, and to vacate even the idea of opposition; thereby

to reſtore unanimity in parliament, and confine every good man's attention to the real objects of his country's welfare. And his lordſhip added, that he had never imparted his deſign to lord Gower, nor did he know whether that noble lord would accept of it *, but mentioned it now, only as a comprehenſive meaſure, to attain the great end he wiſhed, of reſtoring unanimity by a reconciliation of parties; that the buſineſs of the nation might go on without interruption, and become the only buſineſs of parliament. But Mr. Pitt rejected this propoſal, evidently healing as it appeared, by ſaying, that he had determined Mr. Conway ſhould ſtay in his preſent office, and that he had lord Shelburne to propoſe for the other office, then held by the duke of Richmond; ſo that there remained no room for lord Gower. This lord Temple ſaid, was coming to his firſt propoſition of being ſole and abſolute dictator, to which no conſideration ſhould ever induce him to ſubmit. And therefore he inſiſted upon ending the conference; which he did with ſaying, That if he had been firſt called upon by the king, he ſhould have conſulted Mr. Pitt's honour, with regard to the arrangements of miniſters, and have given him an equal ſhare in the nomination; and that he thought himſelf ill-treated by Mr. Pitt, in his not obſerving the like conduct.'

" Here the conference ended.

" Next day lord Temple had an audience of the king in the cloſet; when his lordſhip told his majeſty, in ſubſtance, ' That Mr. Pitt's terms were of ſuch a nature, that he could not poſſibly accept of them conſiſtently with his honour: That he had made a ſacrifice of his brother to Mr. Pitt's reſentment, in order to accommodate with him; but that gentleman inſiſted upon bringing in a ſet of men, ſome of whom were perſonal enemies to his lordſhip, and with whom he had differed upon the moſt eſſential points of government; and would not permit

* Lord Temple afterwards wrote to lord Gower, to excuſe the mention he had made of his name.

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him to name one friend for the cabinet, in whom he had an entire confidence: And had assumed a power to himself, to which his lordship never could submit; for if he did, the world would say, with great justice, that he went in like a child, to go out like a fool: That his wish was, to retrieve the honour of the nation by an administration formed upon a broad bottom, and composed of men of the best abilities, without respect to party, which his first and principal view was to extinguish and annihilate, as much as possible, in order that the whole attention of parliament might be confined to the great objects of national concern: That he had never been a suitor to his majesty, either for himself or his friends, for any place of honour or emolument; he did not even seek the present offer; yet he was extremely willing to sacrifice his own peace and leisure, to the service of his majesty and the country, provided he could do it with honour; but that, he added, was in his own disposal, and he would not make a compliment of it to any man.

"In the evening (of the same day) the noble lord told lord Northington, that the farce was at an end, and the masque was off: His lordship need not have sent for him from the country, for there was no real wish or intention to have him in the administration.

"Lord Temple returned to Stowe. The natural disposition of this noble lord was the most amiable that can be conceived to his friends; but when offended, his disapprobation was warm and conspicuous—his language flowed spontaneously from his feelings; his heart and his voice always corresponded. With such a temper, it was not probable that the cause of his separation from Mr. Pitt would either be concealed, or indifferently expressed.

"Mr. Pitt having made choice of the office of privy-seal for himself, was necessarily created a peer. This was announced to the public in the London Gazette in the following words: 'St. James's, July 30. The king has been pleased to grant unto the right honourable William Pitt, and his heirs male, the dignity of a viscount and earl of Great Britain, by the name, style, and title of

viſcount Pitt, of Burton-Pynſent, in the county of Somerſet, and earl of Chatham, in Kent.' A liſt of the perſons, to whom his lordſhip diſtributed the offices of ſtate, may be ſeen at the end of the volume *. Although he continued Mr. Conway in his poſt of ſecretary of ſtate, yet he gave the management of the houſe of commons to Mr. Townſhend; and lord Granby was put at the head of the army. Before lord Chatham had finally ſettled his arrangements, he made ſeveral offers to different perſons of great weight and conſideration, with a view of ſtrengthening his miniſtry, and of detaching them from their friends. But that ſuperiority of mind, which had denied him the uſual habits of intercourſe with the world, gave an air of auſterity to his manners, and precluded the policy of a convenient condeſcenſion to the minutiæ of politeneſs, and faſcinating powers of addreſs. He made an offer of the ſecretaryſhip of ſtate to lord Gower, whom he had refuſed, when propoſed for that office by his brother. He made offers to the duke of Portland, Mr. Dowdeſwell, and ſeveral others; but in ſuch terms of hauteur, as ſeemed to provoke, though unintentionally, the neceſſity of refuſal †. They were all rejected. He then waited upon lord Rockingham, at his houſe in Groſvenor-ſquare; but lord Rockingham, who was at home, refuſed to ſee him. Theſe circumſtances chagrined him conſiderably. He now found, for the firſt time in his life, that ſplendid talents alone were not ſufficient to ſupport the higheſt ſituations; that the government of a party, and the government of a nation, were as diſtinct in their features as in their principles. He now felt the loſs of his brother, lord Temple, whoſe gracious affability procured him the eſteem of all ranks of people, while

* See note [A] at the end of the volume.

† To one of the moſt amiable and gentle manners an abrupt meſſage was ſent, "That he might have an office if he would." To another, "That ſuch an office was ſtill vacant." To a third, "That he muſt take ſuch an office, or none."

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Roberts. Sculpr.

WILLIAM PITT,

Earl of Chatham.

the ſplendour of his own talents commanded their admiration. Theſe two great men united made a hoſt againſt the world; but when ſeparated, they became the inſtruments of two factions; both of them without intending it, and for ſome time without perceiving it: Lord Chatham of the court, and lord Temple of the oppoſition.

" One of the firſt acts of lord Chatham's adminiſtration was the reſtoration of Mr. Stuart Mackenzie. He did this in the handſomeſt manner poſſible. When Mr. Mackenzie was firſt appointed to the ſinecure of privy-ſeal for Scotland, he was honoured with the royal aſſurance, that he ſhould enjoy the place for his life. But the duke of Bedford had obliged his majeſty to break his promiſe in the year 1765, in order to convince the nation, that he (the duke) was not under the influence of lord Bute. Lord Chatham thought this removal ſuch a flagrant violation of the royal promiſe, that he made this reparation of the king's private honour one of the firſt acts of his miniſtry, without regarding the unpopularity of the meaſure. This circumſtance indiſputably proves, that lord Chatham was not unfavourably diſpoſed to the king's friendſhips, nor even to his partialities. And if we reflect a moment upon the great political talents of his lordſhip, and the wonderful effects of his return to office in the year 1757, we may ſafely ſay, that every public intereſt, and every private attachment, might have been at this period as harmoniouſly arranged, and would probably have been honoured with equal ſucceſs, and ſupported by ſimilar unanimity, *had he found the ſame fidelity in the cloſet*.

" The reſtoration of Mr. S. Mackenzie, the fact of his own peerage, and his ſudden difference with lord Temple, gave cauſe and credit to a ſuſpicion, which all the minions of the court aſſiduouſly encouraged and circulated, and which in a very ſhort time prevailed throughout the kingdom, of his having *joined* the earl of Bute. However ſtrong the appearances were, it is certainly true, that the ſuſpicion was unfounded. What was ſaid of lord Rockingham, on a ſimilar pretence of ſuſpicion, might with equal veracity be ſaid of him alſo—' That

with the earl of Bute he had no perſonal connexion, nor correſpondence of council; he neither courted him, nor perſecuted him *.'

"There never was known in England ſo wet a ſummer as that of this year. From the month of March to the month of Auguſt, there were not ſucceſſively two fair days. This uncommon ſeaſon injured the corn harveſt prodigiouſly. Towards the end of the ſummer, when the extent of the injury was manifeſt, miniſters held ſeveral councils upon the ſubject. At length they iſſued a proclamation, commanding an embargo to be laid on the exportation of corn. Lord Chatham did not attend any of theſe councils. To the ſecond council he ſent his opinion in writing, which was in favour of the embargo. When parliament met, miniſters defended their conduct upon this particular point, by the ſame arguments, and avowed the ſame doctrines, which had been uſed in the defence of ſimilar arbitrary meaſures by the Stuarts. The conſtitution was very ably ſupported by lord Mansfield, lord Temple, and lord Lyttelton: And their arguments were afterwards publiſhed in a pamphlet, entitled, *A Speech againſt the ſuſpending and diſpenſing Prerogative.* Many people aſcribed this ſpeech to lord Mansfield. But they were miſtaken. The pamphlet was written under the eye of lord Temple, by a gentleman at the bar, who was preſent at the debate, and who was alſo aſſiſted in the compoſition by lord Lyttelton.

"A few days after the proclamations were iſſued reſpecting the embargo †, lord Chatham retired to Bath, for the benefit of his health. During his ſtay at Bath, the duke of Bedford came there for the ſame reaſon. Lord Chatham ſolicited an interview with his grace. His lordſhip's view was to detach the duke from Mr. Grenville. His own penetration ſuggeſted to him the neceſſity of this attempt; and however inconſiſtent he might ſeem, in his offers to accompliſh his deſign, the fact ſhows, that men of the greateſt talents are not always influenced by the ſtrict rules of conſiſtency. Lord Chatham was not

* By Mr. Burke.

† They were dated Sept. 26, 1766.

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unacquainted, that a powerful and violent oppoſition was forming againſt him. It was menaced, that this oppoſition would conſiſt of the late miniſtry, who, for diſtinction's ſake, and becauſe the duke of Newcaſtle was yet alive, was ſometimes called the Pelham's; of the relations of his own family, and their friends, who, though a junior and a minor party, were yet a growing one; and of the Bedford intereſt, which at that time was reſpectable, firm, and compact. The two laſt intereſts were united. His deſign was to ſeparate them, and to ſtrengthen his adminiſtration by an acquiſition of the duke of Bedford. He therefore opened his conference with his grace, by making the ſtrongeſt aſſurances, that he ſhould be particularly happy to ſee the king's adminiſtration countenanced and ſupported by his grace's approbation and intereſt. The duke making no reply to this exordium, lord Chatham proceeded, by ſaying, that he would frankly lay before his grace the principal meaſures he intended to purſue.

"Firſt: He intended to keep the peace inviolate, and to keep a watchful eye over the princes on the continent, that they did the ſame.

"Secondly: He would enter into no continental connexions, nor make any ſubſidiary treaty with any European power.

"Thirdly: He would obſerve ſuch a ſtrict and rigid economy, as ſhould command the approbation of the moſt frugal member of parliament.

"The duke replied, that theſe were the very meaſures for which he had always declared and contended. They were his meaſures, and he would certainly ſupport them, whether his friends were in or out of office.

"Not a word was ſpoken of America, nor of any arrangements.

"They parted in ſimilar conceptions, that this interview was only a prelude to another And this accounts for a great part of the Bedford intereſt being neuter at the meeting of parliament.

"Lord Chatham's next ſtep was an attempt to divide the Newcaſtle intereſt. He began with Mr. Shelley, the duke's

duke's near relation. To him, he promiſed the ſtaff of the treaſurer of the houſehold; which at this time was in the hands of lord Edgcumbe. In his expectations of accompliſhing his deſign, he was too ſanguine. It is true, he procured the diſmiſſion of lord Edgcumbe, and the appointment of Mr. Shelley; but the diſmiſſion of lord Edgcumbe was attended with conſequences which rather weakened than ſtrengthened his adminiſtration; and ſo far from dividing or diſmaying his opponents, rather cemented their union, and provoked their reſentment.

The particulars of this diſmiſſion were as follow *:

"'About the 20th of November 1766, the miniſter ſent a note to lord Edgcumbe, acquainting his lordſhip, "That a great perſonage had determined upon making ſome alterations in his ſervants; and that he (the miniſter) ſhould be glad to ſee lord Edgcumbe in Bond-ſtreet, or he would wait upon his lordſhip in Upper Groſvenor-ſtreet."---Lord Edgcumbe directly waited upon the miniſter in Bond-ſtreet. The miniſter began with highly commending his lordſhip's abilities, his virtues, his integrity, and recited the contents of his letter. Then, after many pauſes, and inarticulate ſounds, he ſaid, "He was very ſorry for it, was extremely concerned it ſhould happen ſo——but—a—it was neceſſary—a—." Here lord Edgcumbe ſtopped him ſhort, and bluntly demanded, "if his poſt was deſtined for another." The miniſter, after a little pauſe, and uttering a few broken ſentences, acknowledged that it was, and that it had been ſo for ſome time. Lord Edgcumbe then proceeded to remind him of the meaſures of the late oppoſition; "that he had, four years, ſteadily and uniformly ſupported thoſe meaſures; meaſures which he (the miniſter) had approved and adopted, and which were now happily effected: That he had never deſerted any of the great queſtions upon the ſubjects of the liberties and intereſts of his country; and expreſſed his aſtoniſhment that this treatment ſhould be the reward of a conduct that had manifeſtly the approbation of, and was agreea-

* From the Political Regiſter, vol. i. page 275.

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ble to, the ſpirit and principles of the miniſter, while in oppoſition." The force of theſe truths, and this concluſion, obviouſly made an impreſſion upon the miniſter; and he ſaid, "that however unwilling a great perſonage was to increaſe the number of his lords of the bedchamber, yet he (the miniſter) would nevertheleſs venture to place his lordſhip upon that liſt." Lord Edgcumbe directly made anſwer, "That however willing he really was to hold ſome place, in order that he might cont nue in office with his friends, and ſupport the meaſures of government, yet, after this uſage, he would not take any place, nor reſign that which he held, to any but the great perſonage himſelf:" And added, that it was extremely impolitic thus to turn out perſons of rank; perſons of great parliamentary intereſt. The miniſter burſt out—"Oh!" ſaid he, "*let me feel myſelf!* I deſpiſe your parliamentrry intereſt! I do not want your aſſiſtance!" And added, "that he truſted to the uprightneſs of his meaſures for the ſupport and confidence of the king, and the favour and attachment of the people; and acting upon theſe principles," ſaid he, "*I dare look in the face the proudeſt connexions of this country.*" They parted.

"'Two days after, lord Edgcumbe received a note ſignifying a great perſon's deſire of his ſtaff. On Monday the 24th of November 1766, he waited on the great perſon, who ſaid, "that he was very ſorry to part with his lordſhip, of whoſe ſervices he had a very high opinion, as well as of his lordſhip's abilities, and attachment to his perſon, and eſpecially becauſe his lordſhip had no mixture of factious principles in his diſpoſition; but," ſays he, "my miniſters tell me it muſt be ſo;" and added, "that the idea of the bedchamber was purely his own." Lord Edgcumbe returned the great perſonage his ſincere and moſt humble thanks for the good opinion he was pleaſed to entertain of him; and expreſſed the great obligation he was under for it, "and the more ſo," added he, "for not preſſing the bedchamber upon me; all which more than pay me for the

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ill uſage of your miniſters." The ſtaff was given up, and Mr. Shelley appointed treaſurer of the houſehold.

"'Next day the earl of Beſborough, who was one of the joint poſt-maſters, offered to make room for lord Edgcumbe by propoſing to reſign that poſt in favour of his lordſhip, and taking the bedchamber, which had been offered to that lord. But this obliging offer was rejected. Upon which the duke of Portland, the earls of Beſborough and Scarborough, and lord Monſon, reſigned the next day, which was Wedneſday, November the 26th, 1766. And theſe reſignations were immediately followed by thoſe of ſir Charles Saunders, ſir William Meredith, admiral Keppel, &c.'

"In conſequence of theſe reſignations, lord Chatham reſolved to renew his overtures to the Bedford intereſt. The office of firſt lord of the admiralty, which ſir Charles Saunders had reſigned, he immediately tendered to lord Gower. But that lord did not think proper to accept it (though he did not refuſe it) without firſt conſulting the duke of Bedford, who at this time was at Wooburn. And having given this anſwer to lord Chatham, he went on the 28th to Wooburn to conſult his grace. Next day lord Chatham had a long conference in the cloſet. He laid open the plan of his intended alliance with the Bedford intereſt, to fill the vacancies occaſioned by the late reſignations. But the conduct of the great leader of this intereſt, when laſt in office, had created ſo violent a prejudice againſt him, that lord Chatham found the execution of his plan to be impracticable in the whole extent that he deſigned it; for he intended to have included the duke himſelf in his new arrangement. But he was entreated to abandon all thoughts of that nobleman. He was promiſed the warmeſt, the fulleſt, moſt ſincere, and moſt effectual ſupport. He yielded to theſe aſſurances, or, as he ſaid afterwards, he could not reſiſt them: And ſeveral vacant offices were filled before lord Gower returned from Wooburn. The names of the perſons appointed, will ſufficiently diſtinguiſh the intereſt which prevailed. Lord Le Deſpencer,

who

who had been lord Bute's chancellor of the exchequer, was made poſt-maſter; Mr. Jenkinſon, who had been lord Bute's private ſecretary, was made a lord of the admiralty; and ſeveral other changes were made. By this arrangement, lord Chatham ſeemed to be entirely united to the court. He certainly truſted to the promiſes which had been made for his ſupport; and he gave them full credit, becauſe he believed them to be ſincere.

"On the firſt of December lord Gower returned from Wooburn, with the duke of Bedford. A few hours after their arrival in London, the duke waited on lord Chatham, in Bond-ſtreet. The conference between theſe two noble peers was very ſhort. Lord Chatham's purpoſe was to conceal the engagement he had made with the court. The duke's idea was, that the negotiation begun at Bath, and continued with lord Gower, was ſtill open. His grace therefore requeſted ſome of the vacant offices for his friends, and an Engliſh peerage for the marquis of Lorne, now duke of Argyll. He aſked nothing for himſelf; but added, that the meaſures which had been avowed at Bath, he expected were ſtill to be purſued. Lord Chatham began with putting a poſitive and unqualified negative on the peerage of lord Lorne. Then, as to the offices, he ſaid, there were very few vacant. He had beſtowed the admiralty upon ſir Edward Hawke, and given to Mr. Jenkinſon and ſir Piercy Brett the two vacant ſeats at that board, and lord Le Deſpencer was deſtined for the poſt-office. And as to meaſures, he obſerved, he had never altered his opinion of the peace, it was the ſame that he had declared in parliament: And with reſpect to Pruſſia, he was reſolved to ſupport and maintain the alliance with that monarch. From theſe anſwers the duke was convinced, that all thoughts of negotiation were at an end; and next morning his grace returned to Wooburn.

"With a view to detach ſome of the duke of Bedford's friends from his grace's intereſt, lord Chatham, in ten days after the preceding negotiation was cloſed, gave the ſame peerage to the marquis of Lorne, which he had refuſed to the requeſt of the duke of Bedford.

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And at the ſame time Mr. Nugent, who was placed at the board of trade, was created lord Clare. But the American buſineſs, uſually managed and tranſacted at that board, was transferred to the office of the ſouthern ſecretary of ſtate; and the board itſelf was reduced to the ſtate of a board of reference only. As ſoon as lord Chatham had made this alteration, and a few other leſſer arrangements, he went into Somerſetſhire.

" Although the vacant offices were filled, yet he was far from being ſatisfied with the choice he had been obliged to make of ſeveral of the individuals, or with the union he had been obliged to accept. And he regretted, more than any other circumſtance, the loſs of his brother, lord Temple—becauſe he felt that loſs more and more every day.—He now felt the loſs of a repoſitory of his confidence—the ſolace of his hours of affliction. Grief, vexation, and diſappointment, preyed upon his nerves; which, though in early life naturally ſtrong, were now become weak by age and infirmity. His peerage had diminiſhed his popularity. A conſiderable part of his miniſtry conſiſted of men who had been appointed through neceſſity, not through choice; and this circumſtance being notorious to thoſe whom he had ſelected in the firſt inſtance, inſpired them with a ſpirit of envy and ambition, to become the rivals of his ſituation and power. He was agitated by contending paſſions: A mind ſometimes vigorous, and often depreſſed—his body tortured by pain, and impriſoned by infirmity—he fell into a paroxyſm of the gout at Bath, which ſeemed to threaten his extinction. In the month of February 1767, he attempted to return to London, but was unable to proceed further than Marlborough; where he lay until March, and then finiſhed his journey. He retired to a houſe he had hired at Hampſtead; but was in ſo feeble a ſtate that he could not attend to any public buſineſs. He remained at Hampſtead ſome time, having ſold his eſtate at Hayes, in Kent. The air of Hampſtead was too ſharp for his diſorder—that of Hayes he thought ſuited him better; therefore he wiſhed to re-poſſeſs his former habitation; which being made

known to Mr. Walpole, the purchaſer, he very politely gratified his lordſhip, notwithſtanding he had bought the place for his own reſidence.

" During his abſence, Mr. Townſhend, in ſome degree, aſſumed the reins of government. He ſuppoſed lord Chatham's ſtate of health to be ſuch as would totally, and for ever, preclude his return to public buſineſs. He therefore meditated the accompliſhment of ſome alliances, with a view of forming another adminiſtration for the eſtabliſhment of his own power. In this project he was joined by general Conway. They cultivated a favourable underſtanding with lord Rockingham. Their firſt object was the removal of the duke of Grafton; but lord Chatham arriving in the vicinity of London, the deſign was abandoned, and the duke and Mr. Townſhend became reconciled *.

" During lord Chatham's ſtay at Hampſtead, the king ſent frequent meſſages to him, deſiring him not to be concerned at his confinement, or abſence from public buſineſs; for that he [the king] was reſolved to ſupport him."

We have treſpaſſed a little on the chronological order, to relate theſe private arrangements: In the following chapter, however, the great chain of the hiſtory will be reſumed.

* They had differed upon the affairs of India.

CHAP. II.

The popularity of lord Chatham abated---High prices of corn---Riots---Proclamation againſt foreſtallers---Another to prohibit the exportation of corn---State of Europe---The king of France diſſolves the parliament of Britanny---The meeting of the Britiſh parliament---Debates on the late proclamation---Diſcontents in America---Recapitulation of Eaſt-India affairs to 1765---Politic conduct of Sujah Doula---Death of major

Adams---Major Munro ſucceeds him---State of the Engliſh forces under him---Battle of Buxard---Munro repulſed---recalled---Succeeded by ſir Robert Fletcher ---Sir Robert makes himſelf maſter of Eliabad---The Mahrattas routed by general Carnac---Sujah Doula made priſoner-- Lord Clive arrives in Bengal---Meaſures taken to prevent the receiving of preſents---Peace concluded with Sujah Doula---Treaty between the company and the Mogul.

[A. D. 1766.]

NOTWITHSTANDING the ſtrength and influence of the new adminiſtration, the ſenſe which the public entertained of the ſervices of the late miniſters was fully teſtified, by the numerous addreſſes which were preſented to the marquis of Rockingham, upon that occaſion; on the other hand, many of thoſe who were moſt attached to the earl of Chatham regretted, that, inſtead of weakening and dividing an intereſt which the public wiſhed to be ſupported, and contributing to remove a miniſtry in which they had placed a confidence; he had not rather, by acting along with them, contributed to give them that permanency which was ſo much deſired. There were alſo other reaſons which contributed to leſſen the popularity of lord Chatham: Among theſe, his quitting the houſe of commons, and accepting a peerage, was not the leaſt; and his acting with, and bringing into place and power, perſons who had the misfortune to be ſuppoſed of a party which had been long held very obnoxious, was a further cauſe of his ſinking in the public opinion.

Soon after the formation of the new miniſtry, the diſtreſſes of the poor, from the high price of corn and other proviſions, became very urgent, and cauſed great and general complaints through every part of the kingdom. Theſe kindled into riots and tumults, in which great irregularities were committed. In the beginning the popular rage was confined to lowering the markets, and puniſhing ſome individuals who were ſuſpected of foreſtalling and raiſing the prices of the neceſſaries of life; but it ſoon augmented by the populace collecting

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in large bodies, when they proceeded to the moſt enormous exceſſes. Much miſchief was done, and many lives were loſt in different places: But at length the rioters, by the magiſtrates calling in the military, were ſuppreſſed, and the jails filled with priſoners. Judges were ſoon afterwards ſent to the counties where the riots had happened, with ſpecial commiſſions to bring the priſoners to immediate trial; in conſequence of which, ſeveral of the ringleaders of them were condemned to die; but though ſome examples were made, the greater part of them were either pardoned or tranſported.

In the mean time, a proclamation was iſſued * for putting in force ſeveral ſtatutes that had been formerly paſſed againſt foreſtallers, regraters, and engroſſers of corn: But it was much doubted whether this proclamation was well conceived or well timed. It was thought to prejudge the queſtion, and declare the ſcarcity to be artificial, which experience afterwards ſhowed to be the reſult of natural cauſes. Little was done towards enforcing this proclamation, and it ſoon fell to the ground. The price of wheat ſtill increaſing, another proclamation was iſſued a few days afterwards, to prohibit the exportation of grain. Meſſengers were deſpatched to the ſea-coaſts to obſerve whether the terms of it were complied with, and to prevent ſhips loaded with corn from proceeding with their cargoes: At the ſame time diſtilleries were prohibited the uſe of wheat.

Before we enter into the meaſures taken by this new adminiſtration, and the diſcuſſions in parliament, we will proceed to take a view of the ſtate of Europe at this period.

At the beginning of the year 1766, the political aſpect of affairs ſeemed to indicate it to be an æra pregnant with important events, and with great revolutions. In regions where tyranny and ſuperſtition had long ſwayed their ponderous ſceptres, a ſpirit of liberty, which no oppreſſion can entirely efface from the human mind, dawned forth among the people.

* September 11th, 1766.

Disturbances of a most alarming nature happened in Spain, which appeared the more serious, as they were so very unusual in a nation, which has long been characterised b the most inviolable loyalty and attachment to its monarch. Before the surprise which this event occasioned had time to wear off, an account was publicly circulated throughout Europe of a revolution in the Spanish dominions in South America. The report went farther than subsequent events have verified; that the colonists of those vast countries had entirely thrown off the yoke of their European masters, and even proceeded to the establishment of a regular form of government among themselves. About the same time accounts were received of insurrections among the French in St. Domingo, provoked, as it was said, by the tyranny of the count d'Estaing, their governor.

The intrepid spirit of liberty did not confine herself to the western parts of the old and new world; she exhibited her fascinating form in the East, which had ever been the natural soil of despotism. The martial prince Heraclius of Georgia, famous some years since for his victories over the Persians, formed the glorious project of attempting to deliver his country from the bondage of the Turks. He is said to have bravely asserted the rights of mankind, and to have opposed by arms the ignominious tribute of delivering up every year, for the use of the Turkish seraglios, a number of their noblest and most beautiful virgins. The narratives of the victories obtained by this prince were probably something exaggerated, and the great consequences which were supposed to be the result of them were much more so.

Some insurrections which happened in Egypt and Cyprus seemed to indicate that discontent was an epidemical disease throughout the greatest part of the globe.

The cabinets of Europe, still sore with the wounds they had received in the last war, seemed inclined to permit mankind to remain for some time free from the destructive influence of military exertions, the usual lottery and sport of monarchs and statesmen at the expense of their subjects.

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The court of France was earneſtly engaged in cultivating the ſtrict alliance and family union with the reſt of the branches of the houſe of Bourbon, in Spain and Naples.

The king of Spain, however diſagreeable it might be to his ſubjects, acceded paſſively to French meaſures and French faſhions, and made a common intereſt of the affairs of both nations. Mutual ceſſions of lands were made in the Weſt Indies and America; the French gave up to the Spaniards what they poſſeſſed on the Miſſiſſippi, and the Spaniards relinquiſhed to them the part that ſtill remained in their hands of the iſland of Hiſpaniola.

However puſillanimous this monarch might find his ſubjects on queſtions which regarded their deareſt rights, he found them ſo ſuperſtitiouſly attached to their ancient habits, as to riſe in mobs to reſiſt ſome innovations which he and ſome of his courtiers were inclined to introduce into their modes of dreſs; thoſe who tamely ſubmitted to the groſſeſt encroachments upon the moſt valuable rights of humanity, ſhowed themſelves ready to contend in arms for their long cloaks and flapped hats.

France as well as England, at this period, ſeemed diſpoſed to drop her pernicious ſubſidiary connexions in Germany. With her new ally, the houſe of Auſtria, ſhe however kept the moſt friendly terms, and there appeared to be a cordial amity eſtabliſhed between them. Her intereſt ſeemed to decline in the north, though it was ſaid that her ambaſſador at the court of Peterſburgh had obtained leave to eſtabliſh a factory at Archangel on the White Sea. Both France and Spain, at this time, ſenſible of their paſt errors, exerted themſelves to increaſe their marine with the moſt unwearied aſſiduity, in which the former was greatly aſſiſted, as well by the Genoeſe, as by the great quantity of ſhip timber with which they had ſupplied their arſenals at Toulon, from Corſica, after their troops had taken poſſeſſion of the Genoeſe part of that iſland. The affair of the Canada bills, the only cauſe of altercation which remained between the courts of

Great Britain and France, was amicably ſettled to the ſatisfaction of both.

At the beginning of the year the violence of the conteſt, in which the French king had been ſo long engaged with his parliaments, appeared to be conſiderably abated, or at leaſt in a dormant ſtate. The unfortunate parliament of Britanny fell a victim to theſe diſputes, having ſuffered an entire diſſolution. The king appointed a new commiſſion, conſiſting of ſixty members, in its room, and a ſevere proſecution was carried on at the ſame time againſt the degraded members; but when ſentence was about to have been paſſed againſt them, the king himſelf thought proper, by a politic lenity, to put a ſtop to the proceſs, and to publiſh letters of amneſty in their favour. The greater part of them had leave to retire to their own eſtates. The other parliaments made remonſtrances againſt the proſecution of their brethren of Britanny. During ſome vigorous exertions which were made on this occaſion, the king arrived unexpectedly in Paris, on the 3d of March 1765; and his ſudden appearance excited a great alarm. He immediately repaired to the grand chamber of the parliament, to hold a bed of juſtice: The members being aſſembled, he told them, among other things, "that he would not ſuffer an aſſociation to be formed in his kingdom which might grow into a confederacy of reſiſtance," &c. About a year afterwards *, when the parliament of Rouen ſent a grand deputation to him, inſinuating a compact between the king and the people, he replied, *The oath which I have made, not to the nation, as you have taken upon you to ſay, but to God alone, obliges me,*" &c. A few months ſubſequent to this, count Lally was tried and executed for certain military crimes laid to his charge during his command in the Eaſt Indies.

Such was the ſtate of Europe when the Britiſh parliament met on the 11th of November 1766. The ſpeech from the throne announced that the king, with the advice of his privy council, had laid an embargo on wheat, to provide

* March 4, 1766.

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againſt a growing calamity, the complaints of the poor on the dearneſs of corn—that a treaty was concluded with the empreſs of Ruſſia, whereby a conſiderable branch of trade was fixed on a juſt and ſatisfactory footing, and that a ſolemnization of marriage had taken place between the king of Denmark and his majeſty's ſiſter, the princeſs Caroline Matilda.

A few days after the meeting of parliament the legality of the late embargo upon corn was taken into conſideration by parliament. Ever ſince the 15th of Charles the Second, corn, when under a certain price, might be legally exported. Whenever it became neceſſary, by the ſcarcity of corn, or otherwiſe, to break through this principle; it was always done by an act of parliament. In the preſent caſe the proclamation had been iſſued before corn had reached the price within which the exportation had been permitted. To lay an embargo therefore, by any ſuppoſed authority legally exiſting in the king and council, under ſuch circumſtances, ſeemed to be a diſpenſing with an act of parliament. Though the embargo in queſtion might be a convenient meaſure, yet the *mode* of that tranſaction was regarded by ſome in a dangerous light, as by it the crown ſeemed to aſſume and exerciſe a power of diſpenſing with the laws: To prevent, therefore, the eſtabliſhment of ſo dangerous a precedent, and to perpetuate a knowledge to poſterity, that nothing leſs than law could protect from due puniſhment the framers or executers of an illegal act, and at the ſame time to do juſtice to a proceeding, which, though not authoriſed by law, was done for the public good, a bill was brought into the houſe to indemnify all perſons, who had acted under the late act of council, for the embargo. When the bill was introduced, it was obſerved that it had not a preamble ſufficiently expreſſive of the illegality of the late meaſure. In theſe reſpects, indeed, it was amended and made perfect: This, however, produced much altercation and debate, eſpecially in the houſe of lords.

Some of the miniſtry, and their friends, who had been not only the warmeſt advocates for liberty, but who had appeared as the patrons and defenders of it, exhibited

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ſuch a change in their minds and opinions, that they vindicated the preſent exertion of the prerogative, not only from the peculiar circumſtances that ſeemed to influence it, but even ſupported it as a matter of right; and aſſerted that a diſpenſing power, in caſes of ſtate neceſſity, was one of the prerogatives inherent in the crown. This ſeeming dereliction of principles, in thoſe who had acquired the denomination of good patriots, occaſioned many pointed ſarcaſms without doors as well as within. It was ably urged againſt this meaſure, that the miniſtry were ſufficiently informed of the ſtate of the harveſt, and of the quantity of corn in the kingdom in the month of Auguſt, to have enabled them to become maſters of the ſubject, and of the probable conſequences, from the dearneſs of wheat: That they ought to have iſſued a proclamation for the parliament to meet on the 16th of September, the day to which it was prorogued; and that this meaſure would have taken away every appearance of a neceſſity for the executive power to commit an illegal action; but inſtead of this, the parliament were further prorogued about the time of iſſuing a proclamation againſt foreſtalling, as if the privy-council purpoſely intended this ſtretch of authority.

On the other hand, thoſe who were advocates for the conduct of miniſters in this caſe, citing the opinion of Mr. Locke, aſſerted, that it was ridiculous to ſuppoſe any ſtate without the power of providing for the public ſafety in caſes of emergency: That this power, by our conſtitution, was lodged in the king; they admitted that it could be legally exerted only in caſes of great neceſſity, during the receſs of parliament, and when it could not be conveniently aſſembled. The enemies to the further influence of the crown anſwered to this plea of neceſſity, that if the crown is the judge of that neceſſity, the power is unlimited, becauſe the diſcretion of the prince and his council may apply it to any inſtance whatever; and by theſe means diſcretion might degenerate into deſpotiſm. The wiſdom therefore of the conſtitution had excluded all diſcretion in the crown over poſitive laws: That the conſtitution always ſuppoſes parliaments in being, and ready to be called; and as to the laws, there

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are no days in which acts of parliament sleep; whereas the acts of the executive power are incident, temporary, and instantaneous: If the crown had a legal right to suspend or break through any one law, it must have an equal right to break through them all: That no true distinction can be made between the suspending power, and the crown's raising money without the consent of parliament.

In short, it was contended, that if the doctrine of suspension, on the plea of state necessity, was admitted as constitutional, the Revolution could be called nothing but a successful rebellion, and a lawless and wicked invasion of the rights of the crown; the bill of rights a false and scandalous libel, and an infamous imposition both on the prince and people; and that James the Second neither abdicated nor forfeited, but was robbed of his crown.

Finally, the necessity of the embargo was universally allowed; and the illegality of the authority was only objected to. Notwithstanding all these cogent arguments to prove that the parliament might have been called, and the embargo by those means laid legally, the bill of indemnity passed on the ninth of December. But much clamour was raised on this occasion, against the lords Chatham and Camden, for deserting the cause of the people, and renouncing those principles to which they owed their fortune and fame: Their conduct, however, since that period has, perhaps, sufficiently proved their attachment to the constitution; and that, if they were misled at that juncture, it was not from an evil intention.

The affairs of America at this period were but in an unsettled state; the stamp-act had left more ill-humour behind it, than the lenity of the British parliament was able entirely to remove. The assembly of New York came to a resolution to pay no regard to an act of the last session, by which they were enjoined to supply the troops with necessaries in their quarters; and they made new regulations, by which the requisite provisions were settled according to their own opinion; a decided proof that they meant to persist in acknowledging no dependance

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on the ſupreme legiſlature. This affair being laid before both houſes, occaſioned conſiderable debates; and ſome rigorous meaſures were propoſed. The general opinion, however, was, to bring them to temper, and a ſenſe of their duty, by acts of moderation, which might at once ſupport the authority of Britain, and prevent the inflammation of that ſpirit of diſcontent, which had frequently prevailed in America. For this purpoſe a law was enacted, by which the governor, council, and aſſembly of New York, were prohibited to paſs any act till they had in every reſpect complied with the requiſition of parliament.

Much time in this ſeſſion of parliament was employed on the affairs of the Eaſt India company. Their vaſt poſſeſſions in general, and the immenſe property acquired by their ſervants in particular, excited the attention of the nation. Their affairs were not only flouriſhing, but promiſed ſtability; propoſals were therefore made to deprive them in part of thoſe ſpoils, of which they had plundered the Aſiatics. As an account of the conqueſts and tranſactions of the company abroad ought neceſſarily to precede their regulations at home, we will ſuſpend the parliamentary debates and domeſtic negotiations upon the latter, while a ſhort hiſtory is given of the former.

The importance of the tranſactions in the Eaſt Indies, and the various accounts that at different times have appeared, ſeem to render a recapitulation neceſſary of many particulars, already touched upon in the former volumes of this Hiſtory. We will endeavour, therefore, to ſet forth the true ſtate of facts, from accounts more recent than thoſe from which the preceding particulars were taken.

In the year 1756, the nabob of the three provinces, Bengal, Bahar, and Orixa, died. His grandſon Surajah Dowlah ſucceeded to his government, who, before that period, had obliged his officers to pay him homage as ſoubah, or viceroy. Before this time the French and Engliſh had found means to engage themſelves as auxiliaries with the natives in their quarrels with each other; they were now become ſo formidable,

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that their former allies were reduced to the ſituation of ſubjects; and it only remained to be known, whether the French or Engliſh were to be victorious, in order to aſcertain which were to be maſters of the country. At this time, however, the French were much ſuperior in wealth and extent of territory to the Engliſh, while the armed force of the latter exceeded that of the former by a thouſand men.

On the acceſſion of Surajah Dowlah, Mr. Drake, the preſident at Calcutta, ſent him a letter of congratulation, and there appeared to be a mutual amity eſtabliſhed between them; but the Engliſh preſident, finding it neceſſary to put the fortifications of Calcutta in a proper ſtate of defence, on account of the probability of a war between France and England, the nabob threatened an attack, in caſe the new works were not inſtantly deſtroyed. Inſtead of complying with this demand, the Engliſh made a fruitleſs application to the French and Dutch for aſſiſtance. Calcutta was, therefore, attacked on the eighteenth of July, and ſurrendered at diſcretion in three days. Upon this the Engliſh, to the number of one hundred and fifty, with Mr. Holwel the governor at their head, were ſtowed in a dungeon, called the Black Hole, a priſon only eighteen feet long and fourteen wide, with only two vents or holes, barricaded with iron bars, to admit the air or light; they were confined at eight in the evening, and only twenty-two remained alive of them next morning. As a detail of this tranſaction has already been given, we think it unneceſſary minutely to repeat it. This execrable act of cruelty excited completely the vengeance of the Engliſh; and admiral Watſon and colonel Clive proceeded to attack Calcutta, which ſubmitted without reſiſtance: They next reduced the large and opulent city of Houghley belonging to the nabob, who then becoming alarmed at the progreſs of the Engliſh, propoſed terms of peace. "If the Engliſh," ſays this Eaſtern prince, "who are ſettled in theſe provinces, will behave like merchants, obey my orders, and give me no offence, they ſhall be allowed to trade in my territories."

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The nabob had no ſooner communicated this propoſal, than he advanced immediately with his forces, without waiting for any reply: The whole number of his army and attendants was eſtimated at eighty thouſand; while his opponents, including Aſiatics, did not amount to two thouſand two hundred men. Colonel Clive, after being reinforced with four hundred ſeamen from the fleet, landed them at one o'clock in the morning, and about four the army marched to attack the nabob's camp. Though obſtructed by a thick fog, which cauſed them to miſs their way, they killed and wounded one thouſand three hundred of his troops, and took three hundred draught bullocks, with the loſs of about one hundred men killed and wounded.

Certain intelligence being received about this time, that war had commenced betwixt the French and Engliſh, it was no longer the intereſt of the latter to be at variance with the natives. A treaty of peace was therefore concluded between the nabob and the Britiſh commanders, on the ninth of February 1757.

The Indian war being ended for the preſent, the next object which preſented itſelf to the Engliſh, was the reduction of the French power in that country. But notwithſtanding the ſolemn treaty between the Britiſh and the nabob, it was not long before a new quarrel took place. The latter, influenced, as it is ſaid, by the French, charged the former with a deſign of attacking his dominions as ſoon as they ſhould have driven out his allies. The Engliſh ſeized upon Chandernagore, in order to weaken their European enemy; and though the nabob pretended to regard with ſatisfaction the ſucceſs of this enterpriſe, it is well known, according to Mr. Ives, that he had ordered a body of near two thouſand men to the aſſiſtance of that garriſon, and that he had invited M. Buſſey, with the French army, to enter Bengal againſt the Engliſh.

In this ſituation of affairs, colonel Clive ſuggeſted the neceſſity of a revolution; the plan of which was, that the Engliſh ſhould aſſume the character of abſolute maſters

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of the country, and manifeſt their power by dethroning the lawful ſovereign, and ſetting up an uſurper. The perſon who aſpired to the government at this period, and was therefore a proper inſtrument for thoſe who wiſhed to enrich themſelves by the plunder of the Eaſt, was Meer Jaffier Ally Cawn, who had married the ſiſter of Aliverdy Cawn, Surajah's grandfather and predeceſſor. The Engliſh council, by private agents, made a previous agreement with Meer Jaffier, purporting that he ſhould, on condition of being inducted into the new territory, pay two millions and a half ſterling, to be diſtributed according to the direction of admiral Watſon, colonel Clive, Roger Drake, William Watts, James Kilpatrick, and Richard Becker.

As ſoon as the neceſſary arrangements were complete for the commencement of hoſtilities, colonel Clive marched againſt the unfortunate nabob, with all the troops that could be collected, who, on his part, muſtered for his defence an army of not leſs than ſixty thouſand men. A general and deciſive engagement took place at Plaſſey on the twenty-third of June 1757, in which the eaſtern prince was defeated, and obliged to take refuge in his capital; but not knowing whom to truſt, he left it the following evening, diſguiſed as a faquir, and took the road to Patna with one or two attendants. Theſe alſo appear to have forſaken, and probably plundered him; for, on the third of July, he was found wandering in a forlorn condition, and almoſt naked. In this ſituation he was brought back to Muxadabad, and a few hours afterwards privately put to death by the eldeſt ſon of Meer Jaffier, to whoſe cuſtody he was committed.

In the mean time, Meer Jaffier was complimented by his new allies with the title of nabob, and handed by colonel Clive to his new throne; without ſeriouſly recollecting that thoſe plunderers who (to ſatiate their avarice) had conferred on him this power, could likewiſe deprive him of it at their pleaſure.

Soon after the elevation of the new nabob his mind began to be infeſted with a continual apprehenſion of the reſent-

ment of his predeceſſor's relations: He had no confidence in the men who ſurrounded him, nor could he, with any juſtice, put confidence in the Engliſh, farther than as he knew himſelf to be ſubſervient to their intereſt. About three years afterwards, in the year 1760, the council at Calcutta reſolved to depoſe him, under a pretence of being ſo incapable and imprudent in his adminiſtration of the powers of government, as to endanger his own ruin, and that of the company. The council therefore now thought it proper to conclude a new treaty with Mir Coſſim Ali Cawn, ſon-in-law to Meer Jaffier, by which it was agreed to inveſt him with the effective powers of the ſovereignty, leaving to Meer Jaffier only the empty title of nabob, and an allowance ſufficient for his maintenance at Calcutta.

Though Coſſim, at the commencement of the treaty, had promiſed his allies, or rather maſters, whatever they required; he was no ſooner inveſted with an authority, which he imagined might render him independent, than he began to guard againſt the overgrown power of the Engliſh by every method he could deviſe. The Mogul became incenſed at the conduct of Coſſim, and made an offer ſoon afterwards to the Engliſh of the dewanny, or the collection of the revenues of Bengal. In return for this, he required their aſſiſtance to eſtabliſh him on the throne, and to recover ſuch parts of his territories as were in the hands of the rebels. The ſervants of the company being generally gainers by revolutions among the nabobs, concluded a treaty with the Mogul; and in conſequence of this, Coſſim reſolved on a war with the Engliſh. To anticipate this evil, and, if poſſible, prevent it, the governor (Mr. Vanſittart) proceeded with Mr. Haſtings to hold a conference with the nabob, and concluded a proviſional treaty with him; but in January 1763 the council at Calcutta diſavowed the treaty, and affirmed that the governor had aſſumed a power to which he had no right. Soon afterwards Mir Coſſim was again applied to for a treaty by Meſſ. Amyatt and Hay, two gentlemen of the council; the former of whom, with the party that attended

tended him, was treacherously fired upon and cut to pieces. This impolitic and inhuman conduct at once cut off all hopes of accommodation. War was formally declared against Coffim, and his predeceffor Meer Jaffier was once more proclaimed the legitimate nabob of Bengal in the beginning of July. In the mean time, the Engliſh attacked and took the great city of Patna, ſituate about three hundred miles from Calcutta, up the Ganges, but ſoon afterwards thought proper to abandon it. In July, major Adams took the field at the head of the company's forces, and, after ſeveral encounters, met and totally defeated the nabob's forces, on the banks of a river called Nunas Nullos. After this defeat, the Indians ſeemed to abandon themſelves to deſpair; even the city of Mongheer, the reſidence of Mir Coffim himſelf, held out no longer than nine days, ſo that his laſt reſource was the city of Patna. The nabob, exaſperated at the progreſs of the Engliſh arms, cauſed ſome priſoners taken at that city to be murdered by a German deſerter, named Somers, in a moſt inhuman manner, to the number of 49 gentlemen and 50 ſoldiers. This cruelty did not long paſs unrevenged. Major Adams inſtantly ſet out from Mongheer to Patna; and, on the 6th of November 1763, forced the nabob, after he had loſt all his fortified places, to fly for refuge to Sujah Doula, grand vizier to the Great Mogul, and nabob of a neighbouring province. By him he was kindly received, and protection offered to his perſon; but he refuſed to admit his army, or take any ſtep by which his own country might be rendered a ſeat of war. Thus was Mir Coffim entirely deprived of his dominions, and the Engliſh rendered unconditionally maſters of Bengal.

Having recapitulated ſeveral particulars related in the former parts of this Hiſtory, we ſhall now proceed to give a more minute detail of India affairs, till the concluſion of the treaty with the Mogul in 1765.

Againſt European invaders, the cauſe of one Aſiatic prince is the cauſe of all; and could they be blind enough not to ſee this of themſelves, there never, ſurely,

exiſted a man better able to convince them of it, than the late nabob of Bengal, Mir Coſſim Ali Cawn. The driving of him, therefore, into the territories of a neighbouring nabob was rather removing the fire, than extinguiſhing it. Indeed the ſate alone of ſo intelligent and enterpriſing a man, was enough to fill all the princes of that vaſt country with the juſteſt apprehenſions for their own ſafety and independence.

Deſperate, therefore, as the condition of Mir Coſſim's affairs might appear to be, as long as any part of his army remained on foot, it was impoſſible the Engliſh forces ſhould enjoy any reſpite; at the ſame time that, in purſuing theſe remains through ſo extenſive a country, they were liable to loſe more men than they could be ſuppoſed to do by the ſword of a much more numerous Indian enemy in a pitched battle.

Upon theſe principles, we muſt allow, that Sujah Doula acted a very wiſe part in not admitting into his country the remains of Mir Coſſim's army, as long as it could be kept together, or even in ſmall parties in the territories of Bengal, or any other territories than his own. Indeed it was doing right, at any rate, to keep himſelf quiet for ſome time, by almoſt any means, beſides that of giving up his friend, ſince time alone might be expected to bring about many more events to the prejudice of the Engliſh, than that of the Indian affairs.

Accordingly, we do not find that Sujah Doula took any part againſt the Engliſh, except that (if it can be called ſo) of giving ſhelter to Mir Coſſim, and to Somers, who ſo barbarouſly murdered that nabob's priſoners at Patna, and his afterwards refuſing to give them up. For, as to his drawing an army into the field, which we are likewiſe informed he did, it was probably within his own territories, and juſtified, beſides, by the near approach of the Engliſh to them. He is repreſented, however, as ſuing for a renewal of peace, which the company's ſervants in India might, perhaps, conſider as broken by theſe meaſures.

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But on whatever principles Mir Coſſim's allies might think proper to keep themſelves quiet, it was not long before time brought about an event ſufficient to tempt them to action. This was the ſudden death of major Adams, whoſe name alone might be conſidered as the palladium of the company's military affairs in that part of the world. Accordingly, the ſame ſhip which brought to England an account of that unexpected event, brought likewiſe that of Mir Coſſim's not only being in the field at the head of a body of Indoſtans, but of his having actually cut off a ſmall party of our men, and his ſending their heads, by way of triumph, to king Shah Zada, and the nabob Sujah Doula. The time was now come, when theſe princes thought they might as openly eſpouſe Mir Coſſim's cauſe, as the latter heretofore had protected his perſon; and for that purpoſe they immediately drew into the field an army of fifty thouſand men, with a train of artillery, ſuch as might be ſuppoſed to follow an European army of equal numbers.

But major Adams, moſt fortunately for the company's affairs, was ſucceeded by another officer, who ſeems to have acted with all that ſpirit and ability, which his predeceſſor in command poſſeſſed in ſo eminent a degree.

This officer was major Hector Munro, of the king's forces. He no ſooner heard of the enemy's troops being gathered together, than he immediately marched up to them. His forces did not amount to more than nine thouſand men in the whole, of which not one ſeventh part were Europeans. The number of the enemy was extremely great; but they were Indian troops, ſuch as the moſt conſummate military abilities are requiſite to render formidable in any proportion to their numbers; and ſuch abilities were not to be feared in Mir Coſſim himſelf, and ſtill leſs in his friends or their generals. It is very ſtrange, however, that having ſo often experienced the ill conſequence of meeting the Engliſh in pitched battles, and ſo lately the advantage of attacking them by ſurpriſe and in ſmall parties, he did not prevail on his

allies carefully to avoid the former kind of warfare, and abide entirely by the latter.

Major Munro came up with the Indian army on the 22d of October 1764, at a place called Buxard, on the river Camnaſſary, about one hundred miles above Patna, and found them, as had been for ſome time paſt uſual with them, encamped with all the advantages nature and art could beſtow. Before them lay a moraſs judiciouſly lined with cannon, that, whichever way the Engliſh ſhould move, either forward to paſs the moraſs, or ſideways to double it, could not but greatly gall them in their approach; and the troops themſelves extended ſo far, as greatly to outflank any line of battle, into which it was poſſible for the major to form his few forces. Beſides, at one end of this moraſs there ſtood a ſmall wood, from which the Indians, ſheltered by the trees, might fire with great advantage on their naked enemies; and they accordingly took care to occupy it with a ſufficient body. This was, probably, the only end by which the Indians apprehended any danger of the moraſs being doubled; it was, at leaſt, on this end only we find that any attempt was made to come at them. The moraſs, it is to be preſumed, extended too far the other way to require any additional aſſiſtance.

The firſt appearance of ſuch a ſituation was alone ſufficient to make major Munro defer an attack, till it could be properly explored. He therefore, on the day of his arrival in ſight of the enemy, encamped himſelf, but near enough to them to be but juſt out of the reach of their cannon; contenting himſelf with making the proper diſpoſitions for readily forming his line of battle in caſe of any ſudden emergency.

This precaution was far from being ſuperfluous; for, on going out the next morning by day-break to reconnoitre the enemy, in order to attack them the day following, he found them already under arms. Returning to his camp, he called in all his advanced poſts and grand guards; ordered the drums to beat to arms; and, in leſs than twenty minutes after, was, in conſe-

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quence of the wiſe diſpoſitions made the day before, fortunate enough to ſee his line of battle completely formed.

The Indians began to cannonade the Engliſh at nine o'clock in the morning; and, in half an hour after, the action became general. The moraſs in the front of our troops prevented their moving forward for ſome time, by which means the enemy's cannon, which were as well levelled as judiciouſly diſpoſed, galled them much. This obliged major Munro to order a battalion of ſepoys, with one gun, from the right of the firſt line, to move forward to ſilence one of the Indian batteries, which played upon his flank; and, ſoon after, to detach to its ſupport another battalion from the ſecond line. Theſe battalions having had the deſired ſucceſs, the major ordered both the lines to face to the right, and keep marching, in order to clear the left wing of the moraſs; and when that was done, to face to their former front, the right wing wheeling up to the left, in order to clear the ſmall wood that was upon their right. The firſt line then moved forward, keeping a very briſk cannonade. While this was doing, major Munro ſent orders to major Pemble, who commanded the ſecond line, to face it to the right about, and follow the firſt. But that officer ſaw the propriety of that movement ſo ſoon, that he began to put it in execution, before he received major Munro's orders. Immediately after, both lines ruſhed forward with ſo much ardour and reſolution, at which time the ſmall arms began, that the enemy ſoon after began to give way, and a little before twelve their whole army was put to flight, leaving 6000 men on the ſpot, with 130 pieces of cannon, a proportional quantity of military ſtores, and all their tents ready pitched, at the comparatively ſmall expenſe to the victors of 32 Europeans and 239 Indians killed, and 57 Europeans and 473 Indians wounded.

Nothing now remained in the enemy's poſſeſſion on this ſide the river but a ſingle fort, called Chanda Geer; but it was a place exceedingly ſtrong by its ſitu- tion; and, as it appeared afterwards, ſtill ſtron-

the courage and fidelity of the Indian officer who commanded in it. This fort ſtood on the top of a high and ſteep hill, or rather rock, ſituated on the very banks of the Ganges, one hundred and fifty miles above Patna, by which, in all probability, it might have been kept conſtantly ſupplied with proviſions; and, as to military ſtores, it could, on account of the height and ſteepneſs of the hill on which it ſtood, want none, as long as any ſtones remained to pour down upon the aſſailants.

The only probable method of reducing ſuch a place ſeemed to be that of undermining it, and blowing it up from the foundations along with the garriſon; or pouring into it ſuch ſhowers of ſtones and bombs as might render it untenable. Theſe, at leaſt, would have been the methods taken with it in Europe. But major Munro, whether he wanted the neceſſary ſtores for operations of this kind, or men proper to conduct them, or both; or whether he did not dream himſelf, or thought the Indians would never dream of thoſe cheap and ready weapons of defence of which their hill was compoſed; or, in ſhort, ſuppoſed that they might be ſurpriſed in the night, when, as in a time of perfect truce, it is uſual with them, or was, at leaſt, till the Europeans taught them better, to ſleep in the greateſt ſecurity in the neighbourhood of an enemy, he ordered the walls of it to be battered; and, as ſoon as a practicable breach was made, the governor evincing no ſigns of any intention to ſurrender, ſent a party to ſtorm it in the night.

If the Engliſh thought to ſurpriſe the Indians, they muſt have been themſelves grievouſly ſurpriſed; for they found them not only awake, but prepared to receive them. Practicable as the breach might be in itſelf, the aſcent to it, difficult enough without any additional obſtacle, was rendered abſolutely impracticable, by the torrents of ſtones which the Indians ſent down with hands and feet, while the Engliſh had both employed merely in endeavouring to get at them; thus burying the wretched aſſailants under the rubbiſh made by their own cannon. Such, however, was the ſpirit that prevailed in our troops, or rather ſuch the ſenſe of ſhame excited by this repulſe,

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that they renewed the attack the following night, but with no better ſucceſs.

In theſe attempts we had many private men killed, and a great many officers wounded; more, perhaps, on the whole, than the gaining of a pitched battle would have coſt us. The major, therefore, finding that this was a place which no art was requiſite to defend, though a great deal to take it, if at all practicable; and that, conſequently, it muſt be as ſtrong in the hands of undiſciplined Indians, as it could be in thoſe of the beſt European veterans, thought proper to withdraw the forces he had ſent againſt it, and reſerve them for ſome ſervice in which their conduct might be uſeful, and in which their courage would not be entirely thrown away.

This ſervice the nabob Sujah Doula was, in the mean time, preparing for them: For, though an army of his had been ſo lately and ſo completely routed, we now find him at the head of another; whether compoſed of the remains of the firſt, of which no doubt great numbers eſcaped, or of freſh men, we are not informed. Be that as it may, he ſeems on this occaſion to have acted with more caution; at length, no doubt, inſtructed by the many overthrows the Indian troops had received by fighting in bodies too large for the head, which was to guide and animate them. Though not a little elated by our late ill ſucceſs againſt his fort, inſtead of marching up to our troops, which the major had encamped under the walls of Benares, in hopes, we may preſume, of the nabob's being bold enough to take that ſtep, he contented himſelf with ſending parties of his flying horſe to ſkirmiſh with our advanced poſts, and kept his main body, with the artillery, at fifteen miles diſtance. And by this conduct, he, in the end, reaped one great advantage; which was, that, however deſirous major Munro might at laſt become of quitting the neighbourhood of Benares, he could not ſafely do it, leſt the place being open, and it being as much the aim of the Indians to plunder, as it was the intereſt of the Engliſh to protect it, theſe parties ſhould fall upon it in his abſence.

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In this critical ſituation lay the Engliſh army, when major Munro being recalled home, the command devolved upon ſir Robert Fletcher, a major in the company's troops; who, emulous of the glory gained by his predeceſſors, reſolved to do ſomething to ſignalize himſelf before major Carnac, named to the command of the army by the governor and council of Bengal, could arrive to preclude him.

With this view he ventured to break up his camp under the walls of Benares, at midnight of the 14th of January 1765, and marched off towards the enemy, leaving a party to protect that place againſt any attempt that might be made againſt it during his abſence. But though the main body of the enemy lay at ſo ſmall a diſtance, he did not reach it till the third day; when, on his making the proper motions to attack them, they, after drawing up to receive him, retreated twice in good order, and as often faced about again; but, on his preparing for a third attack, they fled with precipitation; with what loſs, in men or military ſtores, we are not told, and therefore ſuppoſe it muſt have been inconſiderable.

Sir Robert now determined to attack again the fort, the ſiege of which major Munro had lately found it ſo imprudent to continue. It is, therefore, to be preſumed, that our troops imagined the nabob might have been determined, by the ſtrength of this place, to lay up in it his beſt treaſures; and that, of courſe, it was worth all the riſk and fatigue which the conqueſt might coſt them. But had this been the caſe, as ſir Robert attacked it in the ſame manner that major Munro had done, by firſt battering the walls, he would, in all probability, have found it impregnable, though he ſoon effected three practicable breaches in them. The garriſon, ſo far from being entruſted with their prince's treaſures, had been ſuffered to want pay for ſix months, ſo that they no longer thought it worth their while to expoſe themſelves to danger for ſo bad a maſter, much leſs to that of periſhing by famine in his cauſe.

The governor, therefore, thus forced to ſurrender, came himſelf, and in the ſight of his troops delivered up the keys of the place to ſir Robert, with tears in his eyes, and a ſpeech, which at the ſame time that it contained the higheſt compliment to his enemy, argued the greateſt nobleneſs of mind in himſelf. Inſtead of making an apology for having held out ſo long, as if he was convinced the Engliſh muſt hate a traitor and a coward, he apologiſed for ſurrendering ſo ſoon: Inſtead of ſervilely imploring their mercy, he ſeemed rather to claim their favour, as a thing which it was inconſiſtent with their natures not to grant. "I have," ſaid he, "endeavoured to act like a ſoldier; but, deſerted by my prince, and left with a mutinous garriſon, what could I do? God and you (laying his hand on the Koran, and pointing to his ſoldiers) are witneſſes, that to the faith of the Engliſh I now truſt my life and fortune." After this, ſir Robert made himſelf maſter of the enemy's capital, called Eliabad, a large city on the Ganges, between ſixty and ſeventy miles above Chanda Geer, and defended by high and thick walls and a ſtrong fort, ſo as, in all appearance, almoſt to complete the ruin of the unfortunate Sujah Doula.

Soon after the taking of Eliabad, general Carnac aſſumed the command of the army, having ſuperſeded ſir Robert Fletcher. He diſpoſed of his troops to the beſt advantage, for ſecuring the new conqueſts, and quieting the country; in which operations we do not find, that he met with any diſturbances or oppoſition worth notice for ſome time.

But this repoſe was of no long continuance: Sujah Doula the nabob of Oude, who was a man of ſteadineſs, courage, and reſources, was determined not to fall in a weak and inglorious manner; abandoned by the Mogul, who quitted his camp after the battle of Buxard, and went over to the Engliſh; ſtripped of the name and authority of vizier; waſted by frequent and bloody defeats; he ſtill maintained his activity and reſolution. He gathered together, with great aſſiduity, the remains of his routed armies; and perceiving that his own territories were unequal

to

to the ſupply of troops ſufficient, either in numbers or ſpirits, to face the Engliſh, he turned himſelf to the Mahrattas. The Mahrattas are a people of the mountainous country, ſituated ſouth-weſt of his territory. Of all the tribes originally Indian, they are almoſt the only one which can be in any ſenſe conſidered as warlike. They never had been perfectly ſubdued by the Mogul Tartars, who extended their empire over all the other parts of India. Their great ſtrength is in horſe; with which (eſpecially of late years) they held all that vaſt peninſula in continual alarms, waſted many provinces, and obliged moſt of them to purchaſe a temporary ceſſation of hoſtilities by a ſort of tribute, or annual ranſom. Sujah Doula threw himſelf on this alliance as his laſt reſource. But the terror of the Mahrattas ceaſed, when they were oppoſed to the Engliſh arms. General Carnac having aſſembled his troops, marched immediately to engage them, and having, on the 20th May 1765, come up with them at a place called Calpi, they were after a weak reſiſtance totally routed; obliged to recroſs the Yumna with the greateſt precipitation, and ſeek for refuge in their own country.

Foiled in all his military attempts, Sujah Doula took a reſolution, altogether worthy of the ſpirit and policy of his character. He thought it better to throw his life and fortune on the generoſity of a brave enemy, than to wander a forlorn and fugitive exile, dependant on the uncertain and dangerous hoſpitality of neighbours, to whom his ſafety would be a burden, and who might be obliged to purchaſe their own peace, by delivering him to the vengeance of his enemies. He determined, therefore, to have the merit of anticipating his fate. But firſt, with a ſpirit of fidelity unuſual in that country, he permitted Mir Coſſim, and the aſſaſſin Somers, who had taken refuge with him, to eſcape. Having taken theſe meaſures, he ſurrendered himſelf, in three days after the action, to general Carnac, without any other ſtipulation in his favour, than to await the determination of lord Clive concerning him.

Thus

Thus ended the war, which began on account of Mir Coffim. It was conducted on our ſide with a degree of ability, bravery, and ſucceſs, which few military annals can equal; and ſupported by our enemies, in many parts of it, with a ſpirit, firmneſs, and diſcipline, unknown in any former period of the Indian wars. And thus were the two moſt powerful princes of Indoſtan reduced to the melancholy neceſſity, the one of wandering as a fugitive, cut off by his own cruelty from every hope of peace, or clemency from the conquerors; and the other, after the loſs of his country, of being obliged to make the moſt abject ſubmiſſion to his provoked enemies, of ſurrendering himſelf a priſoner at diſcretion; and of feeling the mortification to be obliged to await the fate that ſhould be allotted him, by the ſervants belonging to a company of Engliſh merchants; thus affording a degree of triumph, unknown even to ancient Rome.

During theſe tranſactions died, in the beginning of February 1765, Mir Jaffier Aly Cawn, the nabob of Bengal; a man who had experienced a great variety of fortunes; firſt a ſubject, then a ſovereign; depoſed; and afterwards again elevated to the rank, if not the power, of a prince. There were two competitors for his ſucceſſion, *viz.* Najiem il Doula, his eldeſt ſurviving ſon, then about eighteen years of age; and a grandſon by Miran, his deceaſed eldeſt ſon, a child about ſeven years old.

It was debated in the Engliſh council at Calcutta, which of theſe two ſhould ſucceed. The right of ſucceſſion, according to the rules eſtabliſhed in European countries, was in favour of the latter. The Muſſulman cuſtom was in favour of the former; which permits the father to leave the ſucceſſion to his own ſon, in preference to his grandſon in the elder branch. Najiem il Doula had alſo the nabob's nomination upon his death-bed; had been pointed out by him as his ſucceſſor, ſome months before, and had been inveſted with the title of chuta nabob, which is only given to the intended ſucceſſor. For theſe reaſons, and others drawn from a conſideration of his perſonal character, which rendered him likely to be

contented with a moderate ſhare of power, in an high ſtation, it was determined in council to ſupport him in the ſucceſſion.

Previouſly to his receiving this honour, it was firſt debated, upon what terms he ſhould be admitted to it. The late nabob had been obliged, by treaty, to ſupport an army of about 12,000 horſe, and as many foot: It was alleged upon this occaſion, that he had not fulfilled the engagement; that he had diſbanded moſt of the troops; that, at beſt, they were but an uſeleſs burden to him, having never anſwered any uſeful purpoſe, upon real ſervice; and that, in conſequence, the company were, upon that account, obliged to increaſe their military eſtabliſhment. For theſe, and many other reaſons which may be eaſily conceived, it was now thought better, that the nabob ſhould not any longer have the trouble of keeping up an army; but ſhould, inſtead thereof, ſettle a proper part of his revenue upon the company, to enable them to keep up a ſufficient force, both for his protection and their own; which would entirely free him from the expenſe and trouble of keeping any ſoldiers, except a few for parade. To anſwer this purpoſe it was reſolved, that he ſhould ſettle a ſum amounting to above 800,000l. ſterling a year, upon the company, to be paid out of his treaſury. It was then reſolved, that he ſhould diſcard his prime miniſter and great favourite Nuncomar, who had alſo held the ſame place with his father; and receive in his room, a perſon appointed by the council; who was to act in the double capacity of miniſter and governor to him; to inſtruct his youth, and aſſiſt his inexperience. The council alſo reſolved, that they ſhould have a negative upon the nomination of all the ſuperintendants, and principal officers, employed in the collecting or receiving of the revenues; that he ſhould take their advice, and have their conſent to ſuch nominations, whenever they thought proper to interfere in them; and alſo receive their complaints, and pay a due attention to them, upon the miſbehaviour of any officers, who either were appointed already, or ſhould be for the time to come.

No

Notwithſtanding the youth and inexperience of the preſumptive nabob, he oppoſed the coming into this treaty, as much as a perſon in his circumſtances could well do. The being obliged to part with Nuncomar, who had held an unbounded influence over his father as well as himſelf, was particularly galling. The being obliged to accept of a miniſter, or rather a governor, from the hands of the people, whom in the world he had the greateſt cauſe to be jealous of, and whom he might well look upon rather placed as a ſpy upon his actions, than as a faithful miniſter, or ſervant, was not leſs ſo. He alſo objected to ſeveral of the regulations that were propoſed, in regard to the collection of the revenues; and inſiſted on the ſole and uncontrolled nomination of his own officers.

His efforts upon this occaſion were not of the ſmalleſt ſervice to him; and his attempts to ſoften the deputies, who had been ſent to negotiate the treaty, with reſpect to the points he was moſt anxious about, proved entirely as fruitleſs; not the ſmalleſt relaxation was to be obtained; and diſagreeable as the terms were, he was obliged to ſign the treaty as it ſtood. This treaty was ſaid to be the moſt advantageous one that had at that time ever been made for the company.

This was not the only mortification which the nabob was to meet with. The favourite Nuncomar, who, it appears, notwithſtanding the preſence of the new miniſter, had as great an influence over him as ever, was charged with carrying on a treaſonable correſpondence with Sujah Doula; and the nabob was applied to, that he might ſend him to Calcutta, to take his trial for treaſon. This was wounding the nabob in the tendereſt part, and he ſeemed to feel it moſt ſenſibly. He at firſt abſolutely refuſed to deliver him up: He then wrote: He entreated: He prayed: He uſed every method to prevent it: He even went ſo far as to ſay, that if he muſt be ſent to Calcutta, he would himſelf attend him in the journey, as well as at the trial. His efforts on this occaſion were to as little purpoſe as they had been upon the former,

though he offered large preſents to ward off the ſtroke, and Nuncomar himſelf is ſaid to have offered 140,000l. ſterling upon the ſame account; the former inflexibility was ſtill preſerved, and a ſecond letter from the council put the nabob under the neceſſity of ſending his favourite to Calcutta; at the ſame time that means were found to divert him from the reſolution which he had taken of attending him.

In this ſituation were the affairs in Indoſtan, when lord Clive arrived there*. His lordſhip had brought full powers with him from the company, to act as commander in chief, preſident, and governor of Bengal. There was alſo an unlimited power lodged in the breaſts of a ſelect committee, which conſiſted of his lordſhip, and four other gentlemen, to act and determine in all things of themſelves, without any dependance on the council; it was, however, recommended to them, by their inſtructions, to conſult the council in general, as often as it could conveniently be done; but the ſole power of determining, in all caſes, was entirely in themſelves, for ſo long a time as the troubles in Bengal continued; after which period, they were to be no longer conſidered as a committee, and the council, conſiſting of twelve gentlemen, was to act as uſual. Theſe powers, which were looked upon as extraordinary, by ſeveral gentlemen, who had long ſerved with character in the country, occaſioned great heart-burnings; which were not a little increaſed by ſeveral conſequential ſteps which were ſoon after taken.

It is not at all our intention to enter into theſe private altercations, any farther than is neceſſary, in purſuance of our plan, to elucidate the ſituation of affairs in that country; nor do the lights that have been hitherto let in upon us, enable us to enter into ſuch a ſcrutiny, with an attention to that impartiality, which we ſhall ever endeavour to preſerve. Many heavy charges were made and retorted; even acts of juſtice executed

* May 3, 1765.

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under ſuch extenſive power, are ſeldom viewed, without blending the idea of a poſſible wrong, with the power of committing it.

It muſt however be allowed, that in the diſtracted and deſperate ſtate of the company's affairs, at the time that the account arrived, of Mir Coſſim's defection, and of the enſuing maſſacre of ſuch a number of their oldeſt and ableſt ſervants; it was natural and juſtifiable, that the company ſhould imagine that nothing leſs than the name, character, and fortune of lord Clive, could retrieve them. Nor can we be ſurpriſed, in theſe circumſtances, that they ſhould endeavour to add all the weight they could to his influence, and ſplendour to his appointment; eſpecially as he was to do with people, whoſe ſuperſtition, it is ſaid, ſtamps ſo great a value upon thoſe who are looked upon as fortunate, that, in conſequence of it, they imagine them to be invincible. Happy and glorious it is to the nation, that if we judge by the ſucceſsful events that have happened in the intermediate time, we muſt ſuppoſe every Engliſh officer, who has ſince commanded againſt them, muſt have impreſſed them with the ſame ideas.

At the ſame time that choice was made of ſo able an officer, it was undoubtedly right that his powers ſhould be ample. The buſineſs was intricate, the ſcene remote, and the perſons with whom he might be obliged to contend, powerful, ſpirited, active, and habituated to the higheſt exertions of authority.

The ſelect committee being formed, immediately ſet to work upon the plan of reformation, and made an entire change as to the domeſtic diſpoſition and adminiſtration of affairs. In a country where riches and venality are the diſtinguiſhing characteriſtics of the people, where a ſlack adminiſtration of juſtice, and a relaxation of the laws (weak and imperfect in themſelves), uſually prevail, eſpecially if protection is weak, and private property precarious, the making of large preſents upon certain occaſions will always become faſhionable, ſoftening under that polite appellation, a harſher, which the ſame thing would acquire among a poor and virtuous people; where

juſtice was ſtrictly and equally diſpenſed, and private property ſecure. We find accordingly that the cuſtom of making rich and ſumptuous preſents prevailed in all ages, ancient and modern, among the eaſtern nations; and ſince, of late years, the Eaſt-India company have become, in ſo great a meaſure, the arbiters of public and private property in that part of the world, it is not to be wondered at, if their ſervants and officers upon theſe occaſions came in for a large ſhare of thoſe cuſtomary oblations. As the preſents had of late been paid in large ſums of ready money, and ſometimes in perpetual aſſignments of revenue, the company probably thought they might have too great an influence on the conduct of their ſervants in their tranſactions with the natives of the country. For theſe or other reaſons, there were covenants ſent out by the company, from England, to be ſigned by all their ſervants, not to accept of any ſuch preſents for the future. It muſt be obſerved, that, previouſly to the ſigning of theſe covenants, the late treaty had been concluded with the nabob, and ſeveral large preſents made, in conſequence, to the deputies, &c. The receiving of theſe preſents ſeemed not to be affected by the covenants, the ſigning of which was a ſubſequent act, executed ſince the eſtabliſhment of the ſelect committee, and a ſpecial exception made at the time, that they were to have no retroſpect to former affairs; but it is alſo to be obſerved, that the covenants had arrived in the country, though they were not executed, ſome time before the date of theſe preſents. Whatever the cauſe was, or in whatever light matters appeared to the committee, a rigorous inquiry was ſet on foot, and a ſtrict inquiſition made into the manner of obtaining theſe preſents, and ſeveral reſolutions were entered into, ſeverely reflecting upon the council, as well as upon the gentlemen who had received them.

This increaſed the ill underſtanding which had been occaſioned by the withdrawing of power from the council, and confidence from thoſe gentlemen, who before had the principal ſhare in conducting the affairs of the country. We have many reaſons for not pretending to

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decide on the merits of this diſpute. It was ſaid on one ſide, that luxury, corruption, and the extreme avidity for making immenſe fortunes in a little time, had ſo totally infected the company's ſervants in that country, that nothing leſs than a general reform, and an attempt effectually to eradicate thoſe vices, could preſerve the ſettlements from certain and immediate deſtruction. Fortunes, ſays the noble lord at the head of the committee, of 100,000l. have been obtained within two years; and individuals, very young in the ſervice, are returning home with a million and a half.

On the other ſide, it was ſaid, that the gentlemen concerned had effected the greateſt ſervices for the company; that the preſent happy ſituation of affairs in that country was owing to their conduct, ſpirit, and induſtry; that they could not be bound by covenants which they had not ſigned; that the preſents which they had received, were conformable to the cuſtom of the country, and that of the company's ſervants in all former times; that they were accepted with the greateſt honour, not having been taken till the company's buſineſs, which occaſioned them, was finally ſettled; and that not a ſingle point had been given up in the courſe of the negotiation, that had been originally intended to be ſupported, though larger offers had been made for that purpoſe. They farther obſerved, that theſe objections came with a very bad grace from gentlemen, who had themſelves amaſſed princely fortunes by the very ſame means; beſides, that the ſalaries allowed by the company were ſo ſmall, that no perſon could pretend to live in that country upon them; much leſs could it be ſuppoſed, that gentlemen would run ſuch riſks of life, health, and property, at ſo great a diſtance from home, if the company did not give them other opportunities of making their fortunes, in compenſation for the ſmallneſs of their ſalaries.

Theſe diſſenſions were ſtill farther increaſed by the ſelect committee's having ſent for ſeveral gentlemen from Madras, to fill up the vacancies which had happened in the council at Calcutta, thereby bringing ſtrangers in, over the heads of thoſe whoſe turn it was, in right of ſucceſſion,

ceſſion, to have filled ſuch places. It does not appear what the preciſe motives were for this extraordinary and irregular act of power; perhaps very good reaſons might be given for it: But certain it is, that it cauſed very loud complaints to be made againſt the committee, and it is ſaid that a memorial was ſent home to the court of directors in conſequence of it, ſigned by all the junior ſervants, and by two of the ſeniors.

The powers by which the ſelect committee acted, alſo underwent a ſevere examination; by the letter of inſtructions from the directors, their power of acting was limited to the duration of the troubles in the country, and was then to ceaſe and determine. Now as the oppoſite party ſaid, that the troubles were entirely over before the letter of inſtructions arrived, or the committee was formed, they urged ſtrongly from thence, that the powers under which they pretended to derive an authority never exiſted. The committee, entirely regardleſs of theſe charges, exerted their authority to the full extent; making little or no uſe of the council, whom they ſometimes acquainted with tranſactions; but without licence to give any opinion upon them.

In the mean time, lord Clive had gone to the army at Eliabad, with full powers from the ſelect committee, to him and general Carnac, to conclude a peace with Sujah Doula. We have before taken notice, that the Mogul was at this time under the Engliſh protection. This prince, whom the reader will recollect to have formerly known by the title of Shah Zadah, which ſignifies the prince, had upon the death of the Mogul, his father, who was murdered at Delhi, taken upon himſelf the title of Mogul, and ſought the aſſiſtance of Sujah Doula, whom he conſtituted his vizier, to recover the throne of his anceſtors. In theſe circumſtances, when Sujah Doula undertook the Bengal expedition, he was obliged to accompany him, though much againſt his inclination and opinion, as appears by ſeveral of his letters to the Engliſh commanding officers. We have already taken notice, that he came over to the Engliſh army ſoon after the battle of Buxard. In conſequence of this meaſure, and

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of the perſevering obſtinacy of Sujah Doula, the council at Calcutta had entered into engagements with the Mogul, to put him in poſſeſſion of that nabob's dominions.

Upon lord Clive's arrival in the camp, he ſoon diſcerned the labyrinth in which the company's affairs were likely to be involved; he found that the ſucceſs of our arms promiſed nothing but future wars; that to ruin Sujah Doula, was to break down the ſtrongeſt barrier the Bengal provinces could have againſt the invaſions of the Mahrattas, Afgans, and other powers, who had ſo long deſolated the northern provinces. The Mogul, whoſe cauſe the company were ſupporting, was found utterly incapable of collecting the revenues of Sujah Doula's country, without the aſſiſtance of their whole force. Their connexion with the Mogul could not have ended here; they muſt have proceeded with him to Delhi, and have eſtabliſhed his authority in the empire.

To prevent all theſe inconveniences, lord Clive found it neceſſary to reſtore his country to Sujah Doula, who alone was capable of maintaining it; to ſatisfy the Mogul, by obtaining a more ample revenue for him, which might furniſh him with the means of raiſing an army to march to Delhi, to take poſſeſſion of the capital of his empire; and to obtain for the company from his majeſty, the office of king's duan for Bengal, and the provinces belonging to it.

For the better underſtanding of this paſſage, it will be neceſſary to obſerve, that by the original conſtitution of the empire of Indoſtan, the offices of nabob and duan were entirely diſtinct authorities; that of the nabob was chief civil governor, and commander of the troops, with a jaghire, or eſtate annexed to the office, as a ſalary; but no power to diſpoſe of any other branch of the revenues. The office of duan was to receive the revenues, and account for them to the emperor. Since the irrecoverable ſtroke, which the Mogul family had received, by the invaſion of Thamas Kouli Kan, moſt of the diſtant and powerful nabobs, among whom were thoſe of Bengal, had in a great meaſure thrown off all ſubjection to them,

them, and ſeized the revenues of their reſpective provinces. By this revolution the duanage became annexed to the nabobſhip, and the duan was the nabob's creature and prime miniſter.

The treaty was concluded upon the foregoing principles, and Sujah Doula was again put in poſſeſſion of his dominions, except a ſmall territory which was reſerved to the Mogul, and which was eſtimated at 20 lacks of rupees yearly, or 250,000l. ſterling. The Mogul conſtituted the company his perpetual duans of the Bengal provinces, for which they were to pay him 26 lacks of rupees yearly, amounting in Engliſh money to 325,000l. ſterling. The company engage themſelves to pay to the nabob of Bengal, for the expenſes of the civil government, and for the ſupport of his dignity, 53 lacks of rupees yearly, amounting in Engliſh money to 662,500l. ſterling. The remainder of the revenues of Bengal is allotted to the company, for their expenſes in ſupporting armies to protect the country. The nabob and his miniſters are to have the collection of the revenues, but accountable for them to the company, as holding the office of king's duan. The company alſo guaranty the territories which Sujah Doula and the Mogul are at preſent in poſſeſſion of. There are, beſides, ſome articles in favour of the company's inland trade, &c.

CHAP. III.

Diſputes concerning India affairs—Government accepts propoſals from the company—Bill paſſed for regulating India dividends—The ſeſſion of parliament concludes—State of the miniſtry—Death of Mr. Townſhend—Lord North made chancellor of the exchequer in his room—Meeting of parliament—High price of proviſions—New bill for reſtraining India dividends—State of Europe in the year 1767—Cruelties committed by Elizabeth Brownrigg—Eruption of Mount Veſuvius—Death of the duke of York—The corporation of Oxford committed

mitted to Newgate---Motion for bringing in the Nullum Tempus bill---Bill for limiting the duration of the Iriſh parliament---Parliament diſſolved---Mr. Wilkes elected member for Middleſex -- Surrenders himſelf to the court of king's bench---His outlawry quaſhed---Sentenced to impriſonment for two libels---The new parliament meet ---Riot in St. George's Fields---Concluſion of the ſeſſion--- War with Hyder Ally in the Eaſt Indies---The American colonies oppoſe the duties laid upon them by England--- Proceedings thereon---The king of Denmark viſits England---The Royal Academy of Arts inſtituted.

[A. D. 1766—1768.]

IT has already been obſerved, that, ſoon after the opening of this ſeſſion, lord Chatham, through indiſpoſition, was obliged to retire in a very conſiderable degree from the fatigues of office, and to leave the ſupreme direction of affairs to ſuch of his colleagues as were poſſeſſed of more confidence than capacity. Conſcious that the public had no reliance on their abilities, they declared that they undertook nothing without his concurrence. He had adviſed them to inquire into the ſtate of the Eaſt India company, and to turn thoſe ſucceſſes which were related in the laſt chapter to the advantage of the nation. The reſt of the miniſters, therefore, now began to labour upon that plan of which he had furniſhed the outline. Very early in the ſeſſion (November the 25th, 1766), a committee had been appointed to inquire into the ſtate of the company. While the buſineſs was laid before the committee, great differences took place among the proprietors, and this made it neceſſary to lay before the public, an exact ſtate of their property.

The ſecrets of the directors were unveiled, the company's charters, rights, and conduct at home and abroad were examined, and their diſputes became matters of general diſcuſſion. The majority of the proprietors, obſerving that the advantages of their ſucceſs had hitherto been chiefly engroſſed by their ſervants, who returned home with fortunes more *diſgraceful* than *enviable*, wiſhed that a larger

a larger dividend ſhould be declared by the directors than the preſent one of ſix per cent. The directors, whoſe relations and acquaintances filled moſt of the places under the company, ſaw matters in a different light. "Though," ſaid they, "we have gained conſiderable advantages in the Eaſt, and our affairs promiſe permanence, yet it muſt be acknowledged that we are embarraſſed with great difficulties through the expenſiveneſs of our military operations; our profits are precarious, while our debts are certain. If we raiſe the dividend, our fund will riſe to an extravagant point, at which it cannot be ſupported. This may be attended with ſimilar conſequences to thoſe of the South-Sea ſcheme; a wider field will be opened for ſtock-jobbing, and a bubble will be created, which will burſt upon our own heads." At the opening of the Midſummer court, one of the friends of the directors introduced a motion for increaſing the dividend to eight per cent. and immediately withdrew it at the requeſt of the proprietors, who were by this device prevented from bringing the buſineſs any more into queſtion; ſuch a proceeding being contrary to the eſtabliſhed forms of the court.

The proprietors who were for raiſing the dividend, replied in the following terms to the arguments which had been urged againſt it: "A motion for making a profuſe grant of three hundred thouſand pounds to lord Clive," ſaid they, "was adopted by the directors with the greateſt eagerneſs. Our debts, it is ſaid, will not admit of an augmentation of dividend. The company, like other merchants, muſt, according to the nature of things, owe large ſums of money; but its credit is good, and its creditors think their money ſo well laid out, that they fear nothing ſo much as the payment of it; as a proof of this, the bonds of the company bear a premium; it follows, therefore, that they may be ſold for more than the original debt. The example of the Dutch Eaſt-India company might be imitated; they divide twenty per cent. upon their capital, without feeling any ſhock from ſuch a meaſure."

On the 6th of May a general court was held; and the dividend for the enſuing half year, to commence at Mid-

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ſummer, was declared to be ſix and a quarter per cent. About the ſame time a ſcheme of propoſals for an accommodation was agreed to. Theſe were laid before the miniſtry, which were then known to be very much divided in opinion upon public buſineſs. The propoſition, therefore, was ſhifted from one to another, and no determination made upon it. The company, finding that no negotiation was likely to take place with the miniſtry out of the houſe, preſented a petition to parliament on the 20th of May 1767, which contained two ſets of propoſals for a temporary agreement, which was to laſt for three years.

The firſt propoſal was, that the government ſhould grant the company ſome advantages with reſpect to the inland duties on their teas, and a drawback on the exportation of them to Ireland and the colonies; and ſome other advantages reſpecting raw ſilks, callicoes, muſlins, the recruiting ſervice, and military ſtores: That in return, after deducting 400,000l. a year, in lieu of the company's former commercial profits; the nett produce of all the remaining revenues and trade, after deducting all charges, were to be equally divided between the government and the company, provided that the company's property in the new acquiſitions continued for three years.

By the ſecond propoſal, the company offered, upon the ſame terms, to pay the ſpecific ſum of 400,000l. a year, for three years, by half-yearly payments; and to indemnify the public for any loſs the revenue might be at, by granting the advantages which they required in the tea trade, if the advanced conſumption of it, taken at an average of five years, did not anſwer that end. The petition concluded with a pathetic remonſtrance to the houſe, to entreat they would conſider the imminent dangers to which, in many critical conjunctures, their property had been often expoſed; the very large ſums they had expended ſince the commencement of the wars in India, in which they had never been the aggreſſors; the low dividends which they had received during ſeveral years; whilſt the public remained in the uninterrupted poſſeſſion of an annual revenue, ariſing from the company's trade, of the full value of one third of their capital.

They concluded with appealing to the favour and protection of the houſe, and flattered themſelves that they ſhould receive that candid treatment which had ever been the characteriſtic of the Britiſh ſenate.

On the 12th of June a bill was paſſed, accepting the ſecond ſeries of propoſals, with this difference only, that the agreement was limited to two inſtead of three years. A meſſage from the miniſtry had been read at the general court, which declared the laſt increaſe of dividend, recommending to the company to make no augmentation of it till their affairs were further conſidered of. As this meſſage did not produce the deſired effect, two bills were brought into the houſe, one for regulating the qualifications of voters in trading companies, and the other for further regulating the making of dividends by the Eaſt-India company. By the laſt of theſe bills the late act of the company was reſcinded, and they were reſtrained from raiſing their dividends above 10 per cent. till the next meeting of parliament. This bill was violently oppoſed; the former debates were renewed with the uſual warmth, and the company ineffectually petitioned againſt it.

The company propoſed, that if this bill was laid aſide, which ſo immediately affected their privileges, they would bind themſelves from any further increaſe of dividend, during the time of the temporary agreement. This propoſal met with the fate of the petition.

The advocates for this bill grounded their principal arguments upon theſe principles, namely, to prevent the payment of a higher dividend than the circumſtances of the company could afford, without endangering their credit; to regulate the dividend in ſuch a manner as might prevent the fluctuation of the India ſtock, the riſing of which to an undue height would tend to lower the other ſtock, the riſe of which might be a means of reducing the intereſt of the national debt; that no encroachment might be made by any dividend of the company, upon the revenue of its late territorial acquiſitions, ſo that the claim of the public might ſuffer no loſs, till that affair was finally determined.

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The oppoſers of the bill contended, that, by the ſtate of the company's affairs, it was evident that they were in circumſtances able to make a much greater increaſe of dividend, without in any degree affecting their credit; as it appeared that they had effects not only ſufficient to anſwer every juſt demand, but that, after paying their capital, a prodigious ſurplus would ſtill remain; and that a doubt of their being able to divide 80,000l. among themſelves, when they were allowed to be in circumſtances to pay the government 400,000l. a year, could ſcarcely deſerve a ſerious conſideration. It was alſo argued on the ſame ſide, that if it was neceſſary to reſtrain the dividend of the company, to prevent the fluctuation of the ſtock, that end might be obtained without any regard to the quantum of it, by any fixed rate; by a dividend of $12\frac{1}{2}$ per cent, as well as by 10 per cent.: That this is ſo far from being any part of the real purpoſe of the preſent bill, that the ſhort period to which the reſtriction is confined, cannot but increaſe inſtead of preventing that fluctuation; and encourage inſtead of checking the infamous practices of the Alley. Among many other objections againſt the bill, it was urged that a legiſlative interpoſition controlling the dividend of a trading company, who had lent their money to the public upon the expreſs ſtipulation that they might exerciſe their diſcretion with regard to the dividends, provided that their effects undivided were ſufficient to anſwer their debts, was altogether without example. Theſe reaſons proved entirely ineffectual, for the bill was carried, though not without ſtrong oppoſition. On the 26th of June, in the upper houſe 59 lords voted for it, and 44 againſt it; and a ſtrong and nervous proteſt was entered againſt it by nineteen members of that houſe.

On the 2d of July an end was put to this tedious ſeſſion of parliament, which had continued, with little interruption, almoſt the whole ſummer.

The great hopes which had been formed of the ſtrength and confidence of the miniſtry, which, it was ſuppoſed, would act under the direction of the earl of

Chatham, began very early to wear off. Though that noble lord had loſt much of his popularity by the acceptance of a peerage, and by ſome other ſteps he had taken, which were regarded as inconſiſtent with his former patriotiſm; yet great expectations were formed from a man of ſuch tried abilities, being at the head of an adminiſtration of his own forming. But theſe hopes and expectations were ſoon nipped in the bud by that miniſter's being obliged, through ill health, to relinquiſh all attention to public buſineſs. By theſe means the bands that ſhould have cemented the other members of the adminiſtration were looſened; being left without a head, there was no authority ſufficient to preſerve a proper union or ſubordination, ſo that they diſagreed both in meaſures and opinions.

Early in the month of June, general Conway declared to ſeveral of his friends that he had reſolved to reſign his office of ſecretary of ſtate, becauſe his ſituation of late was become extremely diſagreeable to him, from being frequently over-ruled in his opinion reſpecting public meaſures. He alſo made nearly the ſame declaration to the king; obſerving at the ſame time, that he would remain till a ſucceſſor was appointed. In conſequence of this declaration, he ceaſed to tranſact any buſineſs in his office, and circular letters were ſent to the ambaſſadors for four weeks together, ſignifying that he was out of employment.

Towards the end of June, lord Northington declared to the king his reſolution to reſign, on account of his ill ſtate of health; and adviſed the king to ſend for the duke of Bedford, lord Temple, and Mr. Grenville, whom he had before publicly declared *were equal to their offices*.

A few days after the ſeſſion was ended, which we have obſerved was on the 2d of July, the king wrote a letter with his own hand to lord Chatham, who lay ſick at Hampſtead, acquainting him of his reſolution to make ſome alterations in his ſervants, and deſiring his aſſiſtance or advice. Lord Chatham returned a verbal anſwer to

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this effect, "That such was his ill state of health, that his majesty must not expect from him any further advice or assistance, in any arrangement whatever."

The duke of Newcastle, being at this time anxious to preserve the union of the opposition, conversed with many of that party, and urged the advantages which must arise from it. His grace also took great pains to unite the houses of *Russel* and *Wentworth*; lest, by the secret machinations of lord *Bute* (against whose pernicious influence no administration had been able to stand, when he became their enemy), they should be over-reached so far as to connive at the protection afforded the author of the public grievances, instead of inquiring into his conduct. For the final accomplishment of this union the lords Gower and Weymouth, and Mr. Rigby, dined with his grace at Claremont on the 5th of July 1767, and a few days afterwards, the marquis of Rockingham and several of his friends dined with him at the same place.

In consequence of the verbal answer received from lord Chatham, the earl of Bute applied to lord Holland, his former associate, who had so materially assisted him in procuring an approbation of the late peace. On Sunday morning, July 5th, that noble lord sent him his advice; soon after the receipt of which the *favourite* set out for Richmond; and it was remarked at the time, that the king did not come to town that day.

Though it cannot be ascertained what plan was then adopted, it may be supposed that the members of opposition who were the least hostile to lord Bute were immediately applied to. At an interview which took place soon after between the duke of Grafton and the marquis of Rockingham, his grace said that he was tired of his office, and wished his lordship might be his successor. On Saturday, July 11th, the marquis went to the duke of Bedford at Woburn, where he found lord Albemarle; when particulars were laid before his grace, he said, "That as the great personage had made choice of the marquis of Rockingham for his minister, he acquiesced in that nomination, for the purpose of restoring unanimity, so necessary at that time in the management

of the public buſineſs; and though he renounced all pretenſions to any place for himſelf, he was willing to ſtipulate that he would ſupport the adminiſtration, on condition that his friends might be included in the new arrangement. At length lord Temple and Mr. Grenville acceded to the ſame meaſures and conditions. Thus theſe four reſpectable perſons agreed to ſacrifice themſelves, in order to reſtore unanimity to the king's council, and to eſtabliſh an able and permanent adminiſtration.

After ſeveral other conferences held between the parties, the marquis of Rockingham waited upon the king at St. James's, and acquainted his majeſty that he had met his friends, who had agreed to his propoſal of his being firſt lord of the treaſury; but that the whole negotiation was broken off, concerning the means of providing for Mr. Conway. In conſequence of this, the whole adminiſtration agreed to remain in their places. Mr. Townſhend, the chancellor of the exchequer, obſerving that no notice had been taken of him in the preceding negotiation for a change of miniſters, reſolved to reſent this contempt. He inſtantly, therefore, joined the court, and managed affairs ſo adroitly, that, had he lived, he was to have been firſt lord of the treaſury before the enſuing ſeſſion of parliament; and Mr. Yorke was to have been chancellor. But his death, which happened in the beginning of September, immerſed both the court and the miniſtry in freſh difficulties. In vain every effort had been tried to form a new adminiſtration. The miniſtry thought it neceſſary to ſtrengthen their ſyſtem by ſome new ſupport. They at firſt counterfeited a negotiation with the Rockingham party; but as they found their political principles could never aſſimilate, a treaty was in the mean time concluded with the duke of Bedford and his friends. In conſequence of this coalition, ſeveral changes took place. Lord North became chancellor of the exchequer, at the particular inſtance of the princeſs of Wales, becauſe to him, during Grenville's adminiſtration, all the motions againſt Mr. Wilkes had been entruſted. Mr. Thomas Townſhend (afterwards lord Sydney) ſucceeded lord North at the pay-office; earl

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Gower was made lord preſident of the council; lord Weymouth, ſecretary of ſtate; Mr. Rigby, vice-chancellor of Ireland, and lord Hillſborough, ſecretary of ſtate for the colonies, this place being created on his account; Mr. Charles Jenkinſon ſucceeded Mr. Thomas Townſhend at the treaſury.—No conſultation was held with lord Chatham in making this arrangement, either by the court or the miniſtry.

When the parliament met, on the 24th of November, it was recommended, in the ſpeech from the throne, to the houſe to take into conſideration the relief of the poor, who ſtill laboured under great diſtreſs, through the dearneſs of proviſions. From this circumſtance it was generally believed that the miniſtry had prepared ſome ſalutary plans to be ſubmitted to the legiſlature for that purpoſe; but they were too much engaged in ſchemes of private emolument to attend to the public good.

The miniſtry on this occaſion were greatly cenſured, when it appeared that the object, however deſirable, was not attainable. It was contended that the public recommendation of any thing, which was known to be impracticable, was not only improper, but dangerous; as the people would naturally conclude that relief was not impoſſible, ſince the ſubject had been particularly mentioned in the king's ſpeech; that falſe hopes raiſed in this manner would be converted into impatience and deſpair, when the people found themſelves left to languiſh in want and miſery; that their rage muſt be directed againſt the parliament when they were driven to ſuch a ſituation. They would ſee that, notwithſtanding the earneſt requeſt of the crown, no ſteps had been taken for their relief; and they would, therefore, attribute the continuance of their diſtreſſes to intereſted motives in their repreſentatives. In ſuch a ſtate of things, it would not be ſurpriſing if they ſhould ſet all law and order at defiance, and renew thoſe tumults, which had been already productive of ſuch melancholy conſequences.

The city of London and other corporations preſented petitions to the lower houſe; but none of their propoſals

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for removing the preſent dearth, or for preventing in future a ſimilar calamity, were adopted. The old proviſionary bills relating to exportation and importation were continued or amended; and the importation of wheat and flour from Africa was allowed.

The affairs of the Eaſt-India company were at this time become as much an object of annual inveſtigation, as the ſupplies for the year; and though the agreement they had entered into with government was to continue another year, yet, as the act which reſtrained their dividends to 10 per cent. was now expired, a bill was brought in to reſtrain them in the ſame manner for the enſuing year. The company, alarmed at the apparent perſeverance in a meaſure which they apprehended ſo totally ſubverſive of their rights, preſented a ſtrong petition againſt it, on the 15th of January 1768. In this they ſhowed the right they had by charter to declare their own dividend.

This meaſure occaſioned great debates in the houſe. The advocates for the bill employed the ſame arguments which were uſed upon paſſing the former; but thoſe who oppoſed it had given additional ſtrength to theirs by experience. The force of their reaſoning, however, was exerted to very little purpoſe, as the reſtraining bill was carried a ſecond time, on the 22d of January, by a very great majority. It alſo experienced, like the former bill, great oppoſition in the houſe of lords.

Before we enter further into the tranſactions of the new year, it may be proper to take a view of the general aſpect of European affairs, as they appeared in the year 1767. Many of the cauſes of former diſſenſions among the nations of Europe were now either happily removed, or conſiderably abated.

The violence of religious animoſity; that bitterneſs of zeal, which ſet mankind to the deſtruction of each other's bodies, for the ſalvation of their ſouls, was not only worn out, but almoſt forgotten. Succeſſions, boundaries, and rights of government, were fixed upon a more known and ſettled foundation than ever they were before; and commercial nations had diſcovered a more

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ſucceſsful and happy method of procuring gold, than by digging it themſelves from the mine, or forcing it from thoſe that do.

Many other ſources of contention of a later date, together with ſome miſtaken notions in politics, which have had their day, and done ſufficient miſchief, were now exhauſted. Some juſt cauſes of contention were alſo removed. The ideas attending a balance of power, ſeemed to be at this time very different from what they had been formerly. And the dread of univerſal monarchy appeared to be much abated, if not entirely at an end.

It muſt be admitted, however, that this age ſeems to have a cauſe of contention more particularly its own, and which cannot fail to ſupply, in ſome degree, thoſe which are now by time and change of manners extinguiſhed. The deſire of naval power, which at preſent acts ſo ſtrongly upon many of the nations in Europe, will generate daily diſputes, and muſt become a fruitful ſource of diſſenſion. The ſpirit of commerce will not be confined to the acquiſitions of induſtry. The new adventurers in this field will encroach upon the old, while the ſame paſſion will act as powerfully with the old poſſeſſors, not to relinquiſh any of thoſe profits which uſually came into their hands, and to which they will think that long preſcription has given them a right.

The moſt intereſting event which the year 1766 produced in Holland, was the marriage of the prince ſtadtholder with the princeſs royal of Pruſſia. Nothing could be more pleaſing to the whole republic than this marriage, nor could any thing happen of a more intereſting nature; the public and private rejoicings they made, and the marks of reſpect and regard which they ſhowed the princeſs upon every occaſion, ſufficiently teſtified the ſenſe they had of it. By this marriage the commonwealth entered into a nearer connexion with a great, a powerful, and a neighbouring prince, whoſe diſpoſition, if not a certain friend, was always to be dreaded; and the vicinity of whoſe territories to thoſe of the ſtates, would always furniſh ſufficient matter for altercation, when-

whenever he chose to seek for it. At the same time this marriage was justly to be looked upon in a very interesting light with respect to the protestant system in general, and to connect that chain of union, which it will always be so much the common interest to preserve between the maritime and northern powers, and the protestant princes of Germany.

In Italy, little remarkable occurred during this period, except the expulsion of the Jesuits from Naples and Parma; and the edict which was passed by the regency of Parma, with respect to ecclesiastical affairs, and which almost totally secluded the Roman see from all jurisdiction in that dutchy. The government of Milan, also, which includes the Austrian Lombardy, published a law, by which all the rights which the pope or the bishops had hitherto exercised over ecclesiastics, either with regard to their effects or their persons, was transferred to a council, established for that purpose at Milan. All ecclesiastics were obliged to sell the estates which they had become possessed of since the year 1722; and no subject, whether ecclesiastic or secular, was permitted to go to Rome to solicit any favour, except letters of indulgence, without the consent of the said council.

About this time the cruelties committed by Elizabeth Brownrigg upon her apprentice girls, excited a general indignation, and gained public attention. About the year 1747, she lived as a servant in the family of Mr. R——, in Prescot-street, Goodman's-fields, being then about 27 years of age. At this period James Brownrigg, a plaisterer and painter in that neighbourhood, married her. In the year 1763 Brownrigg took the house in Fetter-lane, which was afterwards the scene of her cruelties. Soon after he was settled in this house, Brownrigg took two poor girls apprentice, Mary Mitchel, and Mary Jones; the latter from the Foundling Hospital; and both of them about the age of fourteen years. It appears that these poor girls were treated with great cruelty, the sufferings of Jones in particular were extreme, she frequently was tied and then whipped by her mistress

miſtreſs till the ſtrength of the latter was nearly exhauſted. Where the other girl, Mitchel, ſlept at this time does not appear; but Jones ſlept in a hole under a dreſſer in the ſame room with Brownrigg and his wife: This room was even with the ſhop, the door of which opened into the ſtreet; and one Sunday morning, as ſhe lay ſilently deploring her miſerable condition, and ready to expire from the conſequences of her paſt ſufferings, and apprehenſions of future, ſhe caſt her eye upon the key of the ſhop-door, which hung againſt a poſt, and perceiving that her maſter and miſtreſs were both faſt aſleep, ſhe had reſolution enough to make one effort for liberty and life; and riſing very ſoftly, ſhe was fortunate enough to ſteal into the ſtreet without diſcovery. Having no home but the Foundling Hoſpital, ſhe made her way thither; ſhe no ſooner gained admittance than ſhe told her ſtory, and ſhowed her wounds and bruiſes, one of which was upon her eye, and had ſo injured it, that for ſome days it was feared ſhe muſt have loſt it. The governors of the hoſpital were no ſooner acquainted with the particulars of the caſe, than they ordered their ſolicitor to make the neceſſary inquiries, and take meaſures to proſecute the perpetrators of ſuch atrocious cruelty. The matter was ſoon brought before the chamberlain of London, by whom the girl was diſcharged from her apprenticeſhip. Mitchel was now left alone, and continued to drudge and to ſuffer for ſeveral months longer, when ſhe alſo found means to eſcape, but, unfortunately for all the parties, ſhe was found in the ſtreets by Brownrigg's youngeſt boy the ſame day, and brought back to her confinement: From this time ſhe was never ſuffered to ſtir out of doors, and ſhe was frequently tied up and flogged naked.

About this period Brownrigg took another apprentice, named Mary Clifford, who was treated well during the month ſhe was upon liking, but afterwards with great cruelty. Sometimes ſhe was confined to a damp cellar, where ſhe had nothing to repoſe upon but ſtraw, and was very ſparingly fed upon bread and water. Brownrigg being, by their indentures, obliged to find them clothes, fre-

frequently made them go about the houſe naked for whole days together. Mitchel, in particular, ſeldom wore ſtockings, and had generally nothing upon her body but an old rag of a waiſtcoat. Both theſe girls were conſtantly locked in the cellar from Saturday to Sunday night, while the family were at their country lodgings in Iſlington; during which time they had no ſuſtenance but a piece of bread, for water itſelf was not allowed.

They were frequently ſo cruelly whipped and beaten, that their bodies, eſpecially their heads and ſhoulders, were almoſt one entire ulcer, the ſkin being broken afreſh as faſt as it heated.

On Friday the 30th of July, the moſt fatal wound was given; about ten o'clock in the morning Elizabeth Brownrigg went down into the kitchen, and tied Mary Clifford naked to a ſtaple; her head and ſhoulders being then ſore, and ulcerated in many places; but notwithſtanding this ſtate of her body, her tyrant flogged her with a horſe-whip, in the preſence of Mitchel, till the blood followed the ſtrokes; ſhe was then let down and ordered to waſh, naked and wounded as ſhe was; and while ſhe was ſtooping down to the tub, her miſtreſs ſtruck her over the head with the but end of the whip. She was tied up five ſucceſſive times in this dreadful day, ſtill naked and bleeding, and ſtill covered with freſh wounds by the whip. She was now, however, mortally wounded, yet ſhe crept about till the 4th of Auguſt, when ſhe was diſcovered, lying in a yard (which had been formerly covered with a ſkylight, though it was at that time removed), by William Cliſſon, an apprentice to Mr. Deacon next door, who ſaw her in that dreadful condition from a two pair of ſtairs window. Upon this diſcovery Cliſſon deſcended to the one pair of ſtairs window, and crawled out of it upon the leads over the yard, and laying himſelf acroſs the ſky-light, had a fuller view of the poor dying wretch. He ſpoke ſeveral times, but received no anſwer: He then, to attract her notice, threw down two or three pieces of mortar, one of which falling upon her head, ſhe looked up, and attempted to ſpeak, but was able only to utter a groan. This was overheard by Mrs. Brown-

Brownrigg, but without pity; for Clipſon ſaid, ſhe ſpoke to her in a ſharp manner, and aſked what was the matter with her. Intelligence of theſe circumſtances was ſent to the mother-in-law of the girl, who came ſoon afterwards with the overſeers of the pariſh, who had put her out apprentice. Upon their arrival they proceeded to Brownrigg's houſe, and Clipſon with them. When they inquired for Mary Clifford, Mr. Brownrigg ſaid ſhe was in Hertfordſhire, attending one of the children who had the hooping cough. Clipſon then deſcribed the condition in which he had ſeen her the day before; after ſome altercation he produced Mary Mitchel, proteſting there was no other girl in the houſe. They ſearched the houſe, without finding Mary Clifford. The overſeers, however, had penetration enough to carry away Mitchel, in order to obtain information, who, upon being told that ſhe ſhould never return to her brutal maſter and miſtreſs again, confeſſed that Clifford was in the houſe, for that ſhe had parted with her juſt before ſhe was herſelf produced. Brownrigg being threatened with the charge of murder, ſoon produced the girl; ſhe was brought from a cupboard under the beauffet in the dining-room, where ſhe had been concealed.

No words can deſcribe the ſhocking appearance which this miſerable object made; the ſilent woe with which every perſon preſent was ſtruck, and the execrations which followed againſt thoſe who had brought her to that condition, were ſufficient indications of her extreme miſery. Her head was ſwelled to almoſt double the natural ſize, and her neck ſo much, that ſhe could neither ſpeak nor ſwallow; her mouth ſtood open, and the ſurgeon who examined her depoſed, that ſhe was all one wound from her head to her toes, that her ſhift ſtuck to her body, that ſhe was in a fever, and the wounds were beginning to mortify from neglect. After many examinations, Elizabeth Brownrigg, her huſband, and their ſon John, were indicted for the murder of the ſaid Mary Clifford, who died on the Sunday following, the 4th of Auguſt.

The trial of the culprits commenced at the Old Baily on Saturday the 12th of September, and laſted ſix hours;

the evidence was in ſubſtance what has been repeated, upon which Elizabeth was found guilty; and the huſband and ſon acquitted. They were however detained, to take their trial for a miſdemeanour. When ſhe was carried to the place of execution, the indignation of the populace aroſe to ſuch a height of unwarrantable rage as loudly to expreſs their wiſhes that ſhe might be precluded the mercy of the Almighty.

On the 19th of October in this year (1767) a dreadful eruption of Mount Veſuvius happened: At ſeven o'clock in the morning of that day an unuſual ſmoke was obſerved to iſſue with great violence from the mouth of the volcano, and aſſumed the form of a pine-tree, as Pliny deſcribed the eruption in which his uncle periſhed. Before eight the mountain opened, and the lava run from the crack near the top of the volcano, in two ſtreams down the ſide of the mountain, till eleven o'clock. About mid-day a tremendous eruption took place very ſuddenly: At firſt it appeared like a fountain of liquid fire, which aſcended many feet in the air, and then a torrent burſt out with a tremendous noiſe, and another current of lava was ſeen towards the Torre del Annonciata, which in leſs than two hours flowed four miles, and approached within a mile and a half of the palace of his Sicilian majeſty; and the thunder of the mountain increaſing, the whole court was obliged to remove in the middle of the ſame night, in the utmoſt confuſion. The exploſion of the volcano occaſioned ſo violent a concuſſion of the air, that the door of the king's chamber at Portici was burſt open, and the ſame happened in many parts even of Naples itſelf. The mountain for three days occaſionally emitted this noiſe, which laſted five or ſix hours each time, and then the atmoſphere was perfectly quiet. The quantity of aſhes was ſo immenſe, that the ſun could not be diſcerned clearly for a whole week; and they fell in ſuch quantities at Naples, as to cover the houſes and ſtreets an inch deep. The lava in ſome directions ran ſeven miles in length; in ſome parts the torrent of lava was two miles broad, and forty feet thick: It took its direction through an immenſe water-courſe, which was about four hundred

feet

feet deep, and actually filled it up in some places. Stones of a most enormous size were thrown up from the mouth of the volcano near a mile high, and fell at least half a mile in distance from it. While old Vesuvius was agitated by these convulsions, the city of Naples was crowded with processions: Women with their hair loose and bare feet, exhibited the most absurd forms of superstition: The cardinal archbishop's gate was burnt down because he would not bring out St. Januarius; and when he was brought out on a succeeding day, a numerous mob loaded the saint with abuse for suffering the mountain to terrify them to such an excess; but when the noise ceased, they fell upon their faces, thanked him for the miracle, and returned to the cathedral vociferating his praises.

On the 17th of September his royal highness, Augustus, duke of York and Albany, next brother to his majesty, died at Monaco, after a severe illness of fourteen days. The body was opened and embalmed; and was ordered by commodore Spry to be put on board his majesty's ship Montreal, captain Crosby, to be brought to England. Previous to this melancholy event, his royal highness was making the tour of the south of Europe. A few days before his illness he had paid a visit to a gentleman of fashion at his chateau near Toulon, where he danced at a ball till he was greatly fatigued, and fell into a violent perspiration. He soon afterwards arrived at Toulon. The next day his highness complained of a chilness and a shivering; the indisposition however appeared so trifling, that he went at night to the comedy; but before the amusement of the evening was over, he found himself much worse, and was obliged to withdraw. He was feverish, thirsty, and complained of an immoderate heat all over his body. By proper remedies, however, the duke was much relieved in the morning, and therefore set forward to Monaco, the prince of which (who was personally acquainted with his royal highness, in his former tour to Italy) was waiting there in expectation of the honour of a visit from him; and the duke was the rather inclined to accelerate his journey thither, as in that prince's palace he might naturally look for assistance and

accommodation ſuperior to what he could reaſonably expect in other places. Though he arrived at Monaco in good ſpirits, he was greatly afflicted with an head-ach, which he attributed to the intenſe heat of the weather. The following day the duke was worſe, and kept his bed. To prevent giving alarm to his relations, his royal highneſs commanded his retinue not to tranſmit any intelligence to England of his illneſs; all poſſible advice and aſſiſtance was given, but to no purpoſe: The fever was unconquerable. His highneſs now perceived the danger of his ſituation; and he ſaw it with fortitude and reſignation rarely to be met with, where the bloom of youth and dignity of ſtation are united. Convinced, that without ſome unexpected turn in his diſtemper he could not long reſiſt its force, his royal highneſs, with the utmoſt calmneſs and compoſure of mind, adjuſted every arrangement conſequent of the fatal event himſelf. He ordered that captain Wrotteſly ſhould bring the news to England, and in what method it ſhould be diſcloſed. After he had made this diſpoſition, he ſpoke of his diſſolution with piety and reſolution; he was ſenſible to his laſt moment; and on the morning of his death dictated a letter to their majeſties, his illuſtrious parent, and the royal family, deſiring the writer to expedite it, as he had but a few minutes to ſpare, and thoſe to employ on ſtill more momentous concerns. Having ordered the gentlemen of his retinue to his bedſide, he took an affectionate leave of them, and expired ſoon after.

On the third of November. the remains of his royal highneſs were depoſited in the royal vault, in king Henry the Seventh's chapel, in Weſtminſter-abbey.

About the beginning of the new year (1768), many advertiſements appeared in the public newſpapers, promiſing a ſpecific ſum of money for a ſeat in parliament, at the approaching general election. This open avowal of the venality of our repreſentation was reſented by the houſe, which was then ſitting. The offending parties were committed to Newgate, where they continued till they had expreſſed the moſt ſincere contrition, and petitioned for their enlargement; which was at length granted,

granted, after they had been reprimanded by the ſpeaker of the houſe of commons.

The corruption of the corporation of Oxford was the principal inſtance among ſeveral which attracted the attention of the public. The principal members of that corporation, conceiving that the conſtituents had an undoubted right to whatever advantages their repreſentatives might procure in parliament, as the wages of corruption, propoſed to their ſitting members to return them at the next election, upon condition that they ſhould advance a certain ſum for diſcharging an incumbrance which lay heavy on the city. The members, probably apprehenſive of offending their good friends in Oxford, concealed the letter which contained this propoſal, inſtead of diſcloſing the contents to parliament, or taking a ſingle ſtep towards the puniſhment of the delinquents. The conduct of the ſilent members was applauded by the houſe, who called the corporation to their bar, and committed them to Newgate. In the moment of their humiliation before the repreſentative body, for their open profeſſions of venality, the ſpeaker cenſured them in the following terms: "You have committed an enormous crime by ſuch an open and dangerous attempt to ſubvert the freedom and independence of election; a point on which the freedom of this country hinges; for it can exiſt no longer than while the voices of the electors remain uninfluenced by any baſe or venal motive. If abilities and integrity are no recommendation to the conſtituents; if thoſe, who bid higheſt for a ſeat, are to ſuperſede every other candidate; it is in vain that the people of Great Britain expect their ſenſe will be expreſſed by this houſe. It will no longer continue a body of real repreſentatives. Inſtead of being the guardians and protectors of liberty, inſtead of redreſſing public grievances, we ſhall give birth to the worſt of grievances; we ſhall become the venal inſtruments of power, in reducing this happy nation, now the envy and admiration of the world, to the loweſt ſtate of miſery and ſervitude. Such is the abject ſtate into which you have endeavoured to plunge your fellow-ſubjects!

jects! What more need be said to aggravate your crimes? You have yourselves, in the most public and daring manner, set the infamous example of prostitution. Surely you must have been overwhelmed with shame and confusion, at the generous disdain with which your representatives spurned the corrupt offer. They thought, and justly thought, that a seat obtained by a free and independent choice, was the highest honour to which a subject can aspire; and that the conscientious discharge of the duties of this office was the noblest of services. May you atone for your past offence, by a constant endeavour to make a right use of the invaluable privileges which you enjoy as electors! But, before you rise from your kneeling posture, I do, in obedience to the commands of the house, reprimand you."

It is unfortunate for the people of this country, that the electors of boroughs, though they have the love of their country frequently in their mouths, have it but very little in their hearts. How absurd is it for voters to expect that their representatives will faithfully discharge their duty, while they make use of every endeavour to commit depredations on their property, for favouring them with their votes! Hence men of real probity are either banished from the senate, as they will scorn to represent such venal bodies; or they are reduced to the disagreeable necessity of sacrificing the public to the views of a corrupt minister.

After this, the most remarkable event in this session was a motion made, towards the close of it, for leave to bring in a bill for quieting the possessions of the subject, and for amending and rendering more effectual an act of the 21st of James I. for the general quiet of the subject against all pretences of concealment whatsoever.

This proposition was so remarkable, not only for the importance of the interests that were to be affected by it, but by the events which preceded and probably gave rise to it, that it will not be amiss to take up the matter from the beginning. The duke of Portland, and his ancestors, had been in possession, for about seventy years, of a very con-

conſiderable eſtate in the north of England, in conſequence of a grant made by the late king William to the firſt earl of the preſent family, of the honour of Penrith in the county of Cumberland, and the appurtenances thereunto belonging. The foreſt of Inglewood, and the manor and caſtle of Carliſle, were conſidered as parts of this grant; and had been accordingly enjoyed by the family, by the ſame tenure and in the ſame quiet poſſeſſion as the reſt. By what has appeared, it is probable that they are not particularly ſpecified in this grant; but were ſuppoſed to be included as parts of the whole. It is alſo poſſible that the king, who had ſufficiently experienced the extreme jealouſy of the parliament and people, on every mark of attention which he ſhowed to his countrymen, did not chuſe to excite freſh clamours by an ample ſpecification of terms in a grant to his favourite.

Sir James Lowther, who was poſſeſſed of a very great fortune in the ſame county, and who ſeems to have been well informed of all the circumſtances relative to this grant, preſented a memorial to the lords of the treaſury, on the 9th of July 1767, in which he ſet forth, that he was informed that the foreſt of Inglewood, and the ſoccage of the caſtle of Carliſle, had been long withheld from the crown without its receiving any benefit from them; and, therefore, he prayed a leaſe of his majeſty's intereſt therein for three lives, upon ſuch terms as ſhould appear fitting to their lordſhips.

This memorial was referred by the board of treaſury to the ſurveyor general of crown lands, for his opinion. The ſurveyor, in his report in anſwer to the board, on the 7th of Auguſt, ſaid, that the premiſes in queſtion were not conveyed by the grant from king William to the earl of Portland, but were ſtill inveſted in the crown; and recommended to their lordſhips to grant the leaſe demanded, for three lives, at a certain ſmall reſerved rent, which he ſpecified, viz. 50l. per annum for the ſoccage of Carliſle, and 15s. 4d. for the foreſt, and a third part of the rent of ſuch lands, &c. as ſhould be recovered from the duke of Portland.

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This report of the ſurveyor, who was himſelf no lawyer, was returned to the board on a dubious and intricate queſtion in law, without his taking the opinion of the attorney or ſolicitor general, or hearing the duke of Portland's lawyers in defence of his title. The proceeding ſeemed the more extraordinary, as the memorial was delivered, the report made, and the affair in agitation near two months before the duke received any authentic information of it; and even then (Sept. 2), is was the effect of an inquiry, firſt founded on vague report and hearſay, rather than of a deſigned or regular notice. The board of treaſury having then alſo adjourned for above a month, it was out of the duke's power during that time to make any repreſentations on the ſubject; and as it was vacation time, when all the lawyers are out of town, it was an impediment to his preparing his title properly to lay before it.

As ſoon as the board met, a memorial was preſented by the duke (on the 10th of October), praying to be heard by counſel in defence of his title, before it proceeded to any act in conſequence of ſir James Lowther's application. In anſwer to this memorial, he received a letter from the ſecretary of the treaſury, in which it was deſired, by order of the lords, that the duke would lay before the board a ſtate of his claim and title to the foreſt of Inglewood, which they would refer to the ſurveyor-general, and would at the ſame time ſend him back the report which he had made on ſir James Lowther's memorial, for his farther conſideration. It was alſo promiſed, that no ſtep ſhould be taken towards the deciſion of the matter in queſtion, till the duke's title had been ſtated, referred to, and reported on, by the proper officer, and fully and maturely conſidered by the board of treaſury.

The duke, in conſequence of this aſſurance, employed his agents in inſpecting and taking copies of ſeveral records and evidences in the different public offices, which were neceſſary for the ſtating and preparing of his title by the lawyers. This was a tedious and important work, as the point upon which the queſtion hung was, whether the foreſt and manor in debate were appurtenances

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belonging to the honour of Penrith. To enter into this diſquiſition, it was neceſſary to conſult a long train of precedents, grants, ſurveys, verdicts, and innumerable acts of ownerſhip, for ſome hundreds of years back, from the time of Richard III. who, when duke of Glouceſter, was poſſeſſed of that honour. In the courſe of this inquiry, the duke's agents thought it proper to examine whether the facts mentioned in the ſurveyor's report were fairly and impartially ſtated. To this purpoſe, application was made at the ſurveyor's office, for permiſſion to inſpect the ſurveys, court rolls, and monuments, on which he had founded his report. This application was however without effect; and the permiſſion abſolutely refuſed to be granted.

Upon the duke's return to town, on the 2d of December, he preſented a memorial to the board, in which he prayed, that, as all public records ought, and by all courts of judicature are directed, to be inſpected for the benefit of the parties intereſted, an order may be iſſued to the ſurveyor's office, for liberty to inſpect ſuch ſurveys, court rolls, &c. as related to the matter in queſtion. The board anſwered, by their ſecretary, that an order for that purpoſe ſhould be granted; not as a foundation of right, but as a matter of candour and civility.

However it was, though the clerks received the fees for the drawing up of this order, it could never be procured. After various delays and evaſions, it was at laſt ſaid to have been ſent to the ſurveyor's office; and upon inquiry there, the receipt of it was denied. It afterwards appeared, that an anſwer to it had been ſent by the ſurveyor, to the treaſury, two days before the time of denial, in which he remonſtrated againſt the inſpection of any papers by thoſe who litigate the rights of the crown.

In this manner were the duke's agents trifled with till Chriſtmas; and while they were thus buſied in preparing his title under the inſtructions of the board, the grants were made to ſir James Lowther of the poſſeſſions in queſtion, and had paſſed through all the ſeals except that of the exchequer. This was done without any previous notice or citation to the duke; and before he or his

his agents were even apprized, that the inſpection at the ſurveyor's office would not be complied with. At length the duke received a letter in the country, from the ſecretary of the treaſury, dated the 22d of December, in which he was informed that the grant was paſſed, and the leaſes already ſigned. Nothing now remained but to ſtop its progreſs in the exchequer-office, where a caveat had before been entered for that purpoſe. But upon application to the chancellor to withhold the ſeal in conſequence of the caveat, his lordſhip made anſwer, that he was preſſed to affix the ſeal inſtantaneouſly; and that, as chancellor of the exchequer, he could not refuſe to comply with an order from the board of treaſury to that purpoſe.

As this meaſure was founded upon, and again bringing into uſe, the antiquated law and prerogative maxim of "*Nullum tempus occurrit regi*," by which no length of time or poſſeſſion can be a bar againſt the claims of the crown; and, as all the lands in the kingdom have at different times been in its poſſeſſion, and many of them, from the loſs of authentic deeds and papers, may be liable to the revival of claims of a ſimilar nature; ſo nothing could be more alarming to the landed property of the nation. Reſumptions, in moſt caſes, are diſagreeable, and cautiouſly to be meddled with: In this, the particular circumſtances that attended it, and the mode obſerved in the whole conduct, ſeemed as diſagreeable as the act itſelf. It accordingly excited, not only a popular clamour, but a very general diſſatisfaction, and became a ſubject of great debate both in public and private.

On one ſide the arbitrary ſpirit and dangerous tendency of the *Nullum Tempus* maxim, on which this grant was founded, was expoſed with great ability. It was ſhown, that the exerciſe of any right ſuppoſed to be founded upon it was practiſed only by our worſt and moſt arbitrary princes; and even by them with caution, as they were ſenſible of the general abhorrence which every act of the kind excited: That it had long been the opprobrium of prerogative, and the diſgrace of the law; and that the ableſt writers in that profeſſion, and the beſt judges, had always caſt an odium upon it, as being fundamentally

tally contrary to natural equity, and all the maxims of a free government: That even in the arbitrary reign of James the First, a law was paſſed in ſome degree to prevent its evil effects: That as the conſtitution became then better eſtabliſhed, the powers of its different parts defined, and the rights of the people delineated; this law was only made retroſpective, as it could not be ſuppoſed that a maxim would be revived, in more enlightened ages, which was always ſo odious in the darkeſt times: That the revival of it could be only to anſwer the moſt arbitrary purpoſes, to hang it up as a rod, to awe the ſubject, who was liable to be haraſſed and ruined, by frivolous and vexatious ſuits, whenever he became obnoxious to a miniſtry.

It was ſaid, that, as the duke's title was ſtill under the protection of the laws, and there could be no doubt but he would defend it to the utmoſt, and the iſſue of ſuch a ſuit muſt be very diſtant and very uncertain, therefore the preſent grant muſt be founded on the moſt unconſtitutional motive, that of obtaining to a party a temporary and undue influence in the enſuing general election: That the avowed oppoſition of intereſts in the ſame county between the parties, and the particular connexions of one of them, left no room to doubt that this was the ſole object in view.

It was obſerved, that, when our kings had little other revenue to ſupport the court and civil liſt than what aroſe from the demeſne lands, reſumptions then, though cautiouſly practiſed, were neceſſary, when weak and prodigal princes had too much impoveriſhed the crown by the making of profuſe grants: That, in ſuch caſes, theſe reſumptions were uſeful to the public, which muſt at any rate ſupport the dignity of the crown: However, reſumption, if it ſhould ever become neceſſary, was the proper act of the legiſlature, and not of the crown: That things were now entirely changed; the crown had a great and permanent revenue ſettled on it by the public, fully ſufficient to anſwer theſe purpoſes; and in a great meaſure deſigned to ſecure the quiet of the people in their poſſeſſions, and to prevent the litigations that aroſe

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from the claims of the crown, and the continual diſputes that occurred about the diſpoſition of its lands: That the colour which the defenders of the meaſure pretended to give it, of its being deſigned to lighten the burdens of the people, by finding a new ſource of revenue for the government, was ſo ridiculous as not to deſerve a ſerious anſwer: That the civil-liſt eſtabliſhment was fixed and permanent, and the paltry reſerved rent too contemptible to be mentioned: That it was evidently a continuance of that ungracious ſyſtem which had been purſued for ſome years, of taking every opportunity to affront and diſgrace thoſe families who had the principal ſhare in the Revolution, and ſecuring the acceſſion of the houſe of Hanover to the throne: That the particular circumſtances attending it ſufficiently ſhowed, that the ſame hidden and undue influence which was ſo obnoxious to the nation, and had ſo long directed its public councils, ſtill preſided in them, in the full plenitude of its power: And that the privacy, hurry, evaſion, and duplicity, which attended the whole tranſaction, were a diſgrace to government itſelf.

On the other ſide, the queſtions of law and right were equally inſiſted on. It was ſaid, that the premiſes in queſtion were no part of the honour of Penrith, and that they were neither ſpecified nor underſtood in the grant: That the right being certain, it was no more a fault in the crown, than it would be in a private perſon, to aſſert it: That it would be happy if many ſuch reſumptions were made, to eaſe the burdens of the people: That the earl of Portland and his family were ſufficiently compenſated for any ſervices he had performed to the nation; and that, after 70 years poſſeſſion of an eſtate to which they had no right, they might contentedly reſign it to the true owner, when there was no demand made upon them for the paſt iſſues: That, ſuppoſing the charge of favouritiſm, his preſent majeſty had as good a right to reward his favourites, as king William had; and that the natural influence which the poſſeſſion of the crown-lands affords in elections was diſpoſed of with more propriety in the hands of the

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friends to adminiſtration, than in thoſe who were in oppoſition to it.

The defenders of the meaſure did not enter much into the prudence and propriety of the grant, nor into a defence of the conduct by which it was carried into execution. It was only ſaid that the treaſury was bound to follow the ſurveyor-general's report, and had given ſufficient time to the duke to prepare his title, and that the reaſon of his not doing it was becauſe he had none to ſhow.

It is evident on the face of this defence, that it goes upon two principles, neither of which are tenable: Firſt, that there is no equity in a preſcriptive poſſeſſion; contrary to the opinions of all writers of law in every country, and indeed to the common ſenſe of mankind. The ſecond is, that the ſurveyor-general's report is concluſive, ſo far as to oblige the treaſury to make a grant to any informer to whom that report ſhall be favourable; a power in the ſurveyor-general, which they did not attempt to ſupport by any law authority whatſoever. Upon the whole, without entering into a diſcuſſion of the queſtions of law or right, it may not be eaſy to defend the propriety of a meaſure, in general ſo alarming, and ſo extremely unpopular. Nor does it ſeem conſiſtent with good policy to diſguſt and irritate, upon trifling or needleſs occaſions, the great families of any country; more eſpecially under ſuch a form and eſtabliſhment of government as ours. Nor did the manner in which this tranſaction was conducted carry that face of clearneſs and equity, which is ſo neceſſary and ſo deſirable in the adminiſtration of a great nation. Accordingly, as no one act tended ſo much to the unpopularity of adminiſtration, ſo the ſucceſs that attended this meaſure was in proportion to the odium; the effects counteracted the deſign, and totally overthrew that intereſt in the north, which it was intended to eſtabliſh and extend.

This motion was introduced entirely upon public grounds, and expreſly guarded againſt the ſerving of any immediate or perſonal purpoſe, or the taking in any pendent or recent caſe. The purport of the law of James I.

is, that a quiet and uninterrupted enjoyment, for 60 years before the paſſing of the act, of any eſtate originally derived from the crown, ſhall bar the crown from any right of ſuit to recover ſuch eſtate, under pretence of any flaw in the grant, or other defect of title. The amendment propoſed by the motion was, To convert that *fixed* preſcription of the act of king James into a *moving* limitation; and to make 60 years poſſeſſion, in all future times, a bar againſt the claims of the crown.

Notwithſtanding the equitable ground on which this motion was founded, it met with a ſtrong oppoſition from the miniſtry, whoſe conduct fell under the heavieſt cenſure upon the occaſion; but the ſubject was of a nature ſo intereſting to all parties, and the arguments that muſt be uſed to oppoſe it ſo generally odious, that it was thought proper to change the mode of defence, and, under colour of the ſhortneſs of the ſeſſion, to defer it till the next meeting of parliament. This manœuvre ſucceeded, but upon ſo cloſe a diviſion, that it afforded a majority of only twenty.

A very popular bill, for limiting the duration of their parliaments, paſſed this winter in Ireland, and received the royal aſſent here. Before this law, the Iriſh parliament was only determined by the king's life, but now they were to be choſen once in eight years; and as they only ſat every ſecond winter, they were to tranſact buſineſs but four ſeſſions; ſo that in reality they were of a more limited duration than the Engliſh parliaments. Nothing could have afforded greater joy, eſpecially to the lower deſcription of voters of that kingdom, than the paſſing of this octennial bill; and the lord lieutenant, in conſequence of it, became extremely popular. In this ſituation of affairs, it was thought a favourable opportunity, before the diſſolution of the old parliament, and before the diſpoſition of the people ſhould change, to propoſe an augmentation of the army upon that eſtabliſhment. A meſſage to that purpoſe was accordingly ſent to the houſe by the lord lieutenant, which occaſioned very warm debates, in the courſe of which great miſmanagements, in the

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then military eſtabliſhment of that country, were brought to light; and the queſtion being at laſt put upon the requiſition, it was carried in the negative.

The material buſineſs of the ſupplies being ſettled, and a number of public and private bills paſſed, on the 10th of March, an end was at once put to this ſhort ſeſſion, and to this parliament, who had always been obſequious to the reigning miniſter; what they enacted under one leader, they ſeldom failed to repeal under another.

Before the parliament was diſſolved, they voted a ſupply of 8,335,746 l.; and the ſinking-fund was charged with the payment of the intereſt upon the new loan, which was 1,900,000 l. negotiated upon the uſual terms, 1,300,000 l. being raiſed by redeemable annuities at three per cent. and the reſt by the moſt diſgraceful and injurious engine of finance, a lottery. The exports this year were 15,117,982 l. and the imports 11,878,661 l.

After the parliament was diſmiſſed, it is by no means ſurpriſing, that an adminiſtration, which took ſuch unconſtitutional meaſures to ſecure a majority in the lower houſe, ſhould alarm the people, and produce conteſted elections in all parts of the kingdom. This cauſe, united to the diſcontents occaſioned by the high price of proviſions, excited indeed the moſt violent tumults and diſorders. But the attention of the nation was principally fixed upon London and Middleſex; becauſe they exhibited ſcenes unparalleled in the annals of England.

Mr. Wilkes, who had remained abroad an outlaw ever ſince the year 1763, now returned, relying upon the duke of Grafton for protection; but, as an inimitable writer obſerves *, "it was perhaps the greateſt misfortune of his life, that his grace had ſo many compenſations to make in the cloſet for his former friendſhip with him. His maſter, underſtanding his character, made him a perſecutor, becauſe he had been a friend." As that nobleman owed what little popularity he had to the exiled patriot, it was natural for the latter to imagine, that, if he was poſſeſſed of a ſpark of gratitude, he would

* Junius's Letters, page 77.

exert himſelf in his favour. But the duke knew the habits of a court too well to countenance a man, who had become ſo obnoxious to the ſovereign and his mother.

Mr. Wilkes, finding himſelf treacherouſly abandoned by the men who had riſen upon his popularity, reſolved to make one deſperate effort for overthrowing them, and riſing on their ruins. He had the better proſpect of ſucceſs in this attempt, ſince they had proclaimed war not only againſt him, but alſo againſt the nation, which was no leſs ſcandalized at their perfidy to him, than alarmed at their unconſtitutional interference in the elections. To the confuſion of his enemies, and to the infinite exultation of his friends, who indeed conſtituted the body of the people, he appeared unexpectedly at the huſtings at Guildhall, and offered himſelf a candidate for the city of London. Though a ſhow of hands was at that time much in his favour, by the influence of Harley, Ladbroke, and the court faction in the city, his friends were greatly exceeded by thoſe of the other candidates upon the poll. Many of the citizens had been pre-engaged, many were intimidated, and all apprehended that their vote would be thrown away, as he was ſtill an outlaw; or, at leaſt, that it would be rendered nugatory by an expulſion. Not intimidated by this repulſe, but confident of the public favour, from the attachment teſtified by the populace for him, he addreſſed the livery on the cloſe of the poll, and ſolicited their votes as freeholders of Middleſex, for which he determined to appear as a candidate.

The miniſters, overawed by the people, whoſe idol he was, and apprehenſive of incurring a greater preſſure of popular odium, had not courage to proceed openly againſt Mr. Wilkes as an outlaw, and to commit him to priſon. On the morning of the election, the roads to Brentford were lined with immenſe multitudes, who obliged every perſon in paſſing to declare for their favourite. Even his enemies were forced to wear the enſigns of his party, if they would proceed in ſafety to the place of poll. His two opponents, ſir W. B. Proctor, and Mr. Cooke, neglecting this precaution, met with much

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obſtruction from the populace. Upon the arrival of the ſeveral candidates, the current of popular favour ran ſo high, and the ſpirit of liberty was ſo predominant, that all the miniſterial efforts were totally fruſtrated by the voluntary ſuffrages of unbought freeholders. Mr. Wilkes was returned by a vaſt majority. The illuminations of the capital upon this occaſion were as brilliant as if the nation had gained a ſignal victory over a foreign enemy. Though the rejoicings on this ſucceſs ended in ſome commotions and riot, it ſhould be remembered that the aſſertion of liberty will generally be attended with licentiouſneſs when unduly oppoſed. The intention of the people is always good, and they ſeldom exerciſe their authority but in oppoſition to injuſtice and oppreſſion, though their vengeance is ſometimes miſplaced.

On the 20th of April, Mr. Wilkes ſurrendered himſelf before the court of king's bench. In his addreſs to the judges, he obſerved, that two verdicts had been found againſt him; one for the republication of The North Briton, No. XLV.; the other, for the publication of a ludicrous poem. Reſpecting the firſt, he contended that there was not the ſmalleſt degree of guilt in it, becauſe it was founded upon the ſtrongeſt evidence of facts. No one inſtance of falſehood had been pointed out in that pretended libel, nor was the word "falſe" inſerted in the information before the court. As to the charge for the publication of the poem, he aſſerted that no ſuch idea ever entered his mind. He bluſhed at the recollection that it had been brought to the public eye, and drawn from the obſcurity in which it remained in his own houſe. Twelve copies of a ſmall part of it had been printed there at his own private preſs. He had carefully locked them up, and never gave one to the moſt intimate friend. Government, after the affair of the North Briton, bribed one of his ſervants to rob him of the copy, which was produced in the houſe of peers, and afterwards before that court. He proteſted that he had no intention of publiſhing that poem. He alſo contended, that neither of the two verdicts could have been obtained againſt him, if the records had not been materially altered without his

conſent, and contrary to law. On the evening only before the two trials, lord Mansfield had cauſed the records to be altered at his own houſe; ſo that, on the following day, he was tried on two new charges, of which he was previouſly ignorant.

Mr. Wilkes, on the 8th of June, was brought from the priſon of the king's bench to the court, when the queſtion of his outlawry was decided. The judges delivered their opinions very fully, and were unanimous that the outlawry was illegal, and muſt be reverſed, and that the proceedings upon it were irregular.

Soon afterwards the two verdicts againſt him were affirmed, and the defendant was condemned to ſuffer two years impriſonment, to pay a fine of one thouſand pounds, and to find ſecurity for his good behaviour during the ſpace of ſeven years. This ſentence, pronounced againſt a man, who, in the opinion of many, could never have been convicted, had not the law been flagrantly violated in the firſt inſtance by robbing his houſe, and bribing his ſervant to commit a theft, and in the ſecond inſtance by a haſty, unprecedented alteration of records, appeared to the diſcerning part of the public ſevere and impolitic, and to the multitude unjuſt and arbitrary. The populace, therefore, expreſſed their diſapprobation of thoſe meaſures by forcing Mr. Wilkes from the officers, who were conducting him to priſon. By his interceſſion they eſcaped unhurt, while he was carried in triumph through the city to the Three Tuns in Spitalfields, where he continued till the mob diſperſed. At midnight he went and ſurrendered himſelf to the marſhal of the king's bench, in order to prove his obedience to the laws of his country. The miniſtry ſtationed a party of troops to guard the priſon.

On the 10th of May 1768, the new parliament met. The people, expecting to ſee Mr. Wilkes proceed to the houſe of commons, crowded round the gates of the priſon; and having waited a long time in vain, they became at length clamorous for their favourite, whom they intended to convey in triumph to the ſenate. Some of the Surry juſtices embraced this opportunity to read the riot-

Soldiers shooting young Allen,
at the Kings Bench Prison.

Engraved for J. Parsons, 21, Paternoster Row. March 1795.

riot-act; and the mob becoming exasperated at a proceeding, not justified, in their opinion, by the occasion, as they had committed no violence or outrage, began to manifest their resentment by throwing stones and brick-bats at the magistrates as they read the act. This assault exasperated the soldiers, who, it is affirmed, were all Scotchmen, selected for the occasion, as they were supposed to be prejudiced against the English, and especially Mr. Wilkes, for the abuse which he had thrown upon their country in general, and upon the earl of Bute in particular. Some of the military, therefore, singled out a supposed offender, and pursued him to a considerable distance, but in his stead shot a young man of the name of Allen, a mere spectator, dead, in his father's cow-house, in the very act of extending his hands for mercy. The atrocity of this act spread an instant alarm through the whole neighbourhood; the mob accumulated to an amazing number, by a continual influx of passengers, many of whom being even ignorant that the riot-act had been read, now behaved in a manner which the justices construed into a defiance of their authority, and they ordered the soldiers to fire upon the people, of whom above twenty were killed or wounded.

The whole nation became indignant at these transactions. Some of the soldiers were indicted for murder, but escaped, by what means or influence it is difficult to say. The whole process, however, was such, that the trial of none of the culprits was permitted to be published, and the judge would not allow notes to be taken in court of the evidence.

Thanks, however, were returned, in the king's name, to the detachment employed in this odious service, and the men were promised all the protection which the war-office could afford. The public, in the mean time, were eager to observe, whether the parliament would demand Mr. Wilkes as their member, and relieve him from confinement.

The house of commons was informed by the lords commissioners who were appointed to open the session, that his majesty did not call them together at that uncustomary season to enter upon any matters of general business.

buſineſs, but merely to deſpatch certain parliamentary proceedings, which were neceſſary for the welfare and ſecurity of his ſubjects. Both houſes, in their addreſs, returned his majeſty thanks for the gracious and paternal attention which he had manifeſted for the proſperity of his people, which had induced him to interpoſe his own immediate authority for putting an end to that dangerous diſturbance of the public peace, and thoſe acts of violence which had of late prevailed to ſo alarming a degree in and near the metropolis. The day after the parliament met, the privy council iſſued a proclamation for ſuppreſſing riots, tumults, and unlawful aſſemblies.

After the houſe had made the neceſſary proviſions for the exportation and importation of corn, points which the high price of the neceſſaries of life ſtill rendered the objects of parliamentary conſideration, an end was put to the ſeſſion on the 21ſt of May. The miniſtry, though ſure of a majority on every occaſion from the re-election of ſir John Cuſt to the office of ſpeaker, thought proper to poſtpone for the preſent the grand ſcheme which they were meditating for the deſtruction of Mr. Wilkes; and it was ſo ordered, that ſix months were allowed to the miniſterial ſide to influence the freeholders of Middleſex, who were now called upon to chuſe a member in the room of Mr. Cooke, who did not long ſurvive the honour of being returned with Mr. Wilkes. Sir W. B. Proctor, urged by the courtiers, reſolved to retrieve the diſgrace which he had ſuſtained by being rejected at the laſt election: But, notwithſtanding every art was employed during ſo long a canvas, a great majority of the freeholders eſpouſed the cauſe of ſerjeant Glynn, a candidate whom they ſuppoſed a friend to the cauſe of the people, and in whom they hoped to find an able defender of the rights and liberties of his country. Unſupported by any perſonal connexions, he triumphed over the whole power of the court, merely in conſequence of the obligation which the people conceived he had conferred upon them in pleading the cauſe of liberty, when other counſellors declined the office. Succeſs was no ſooner declared to be in his favour, than a lawleſs mob of ruffians, hired for

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the purpoſe, as was affirmed, ſallied forth with ſhocking violence upon the peaceable and unarmed freeholders, and, with *Liberty* and *Proctor* in their hats, diſperſed the electors, and knocked down with bludgeons every perſon whom they did not know to be of their party. A reſpectable perſon of the name of Clark was killed, and many wounded. Two of the rioters were apprehended, indicted, convicted, and condemned for murder; but ſome ſurgeons, who were conſulted by the miniſtry, reported, that it did not *appear* to them that the murdered perſon had died of the blows received from the bludgeons of the murderers; and a doubt ariſing in the royal breaſt concerning the guilt of the convicts, they received a free pardon. To increaſe the aſtoniſhment and indignation of the kingdom at the preſent meaſures, the moſt active of the aſſaſſins was rewarded with a penſion, in the ſame manner with Macloughlan, who had been permitted to make his eſcape after the maſſacre of St. George's Fields. Though ſerjeant Glynn had ſurmounted all oppoſition, and taken his place in the houſe, it was generally expected that Mr. Wilkes could not preſerve his ſeat; his numerous enemies were ſuppoſed to be too powerful; but, after all, a mere accident gave them an advantage over him.

Lord Weymouth had written to the chairman of the quarter-ſeſſions in Surry a letter, which Mr. Wilkes, as well as many others, conſidered as the cauſe of the enormities committed in St. George's Fields. Having procured a copy, Mr. Wilkes publiſhed it with a preface, expreſſive of that indignation which the nature of the caſe could not fail of exciting. This publication was repreſented as a libel, not only againſt an individual, but againſt magiſtracy, which, the miniſtry contended, called aloud for the puniſhment of the author. But as theſe and other proceedings reſpecting Mr. Wilkes did not take place till the next meeting of parliament, we ſhall defer the ſubject for the preſent, while we relate the tranſactions in the Eaſt Indies and America.

About this period a new enemy commenced hoſtilities againſt the Eaſt India company. Hyder Aly, or Hyder Naig,

Naig, was an adventurer, who, through one of the surprising revolutions of fortune that so often take place in that country, rose from being a common seapoy, to become master of a considerable part of the Malabar coast, and to be one of the most considerable and formidable princes in the now shattered empire of India. The knowledge which he had acquired by a long service among the Europeans, he applied to the forming and disciplining his own army upon their model, and procured a number of renegadoes to assist in making his artillery serviceable.

This bold adventurer, being sensible that the present power of the company was an insurmountable bar to his ambition, worked upon the weakness of the Nizam of the Decan, and, partly by threats, partly by promises, gained him to renounce the alliance which was between the company and him, and to join in a war against it. The council at Madras immediately sent a body of forces under the command of colonel Smith, to oppose this formidable alliance. The colonel found the allied princes at the head of a very considerable army, and, after several manœuvres on both sides, brought them to an engagement, Sept. 26, 1767, at a place called Errour near Trinomallee. The enemy received them with a very warm cannonade on our left; and as their batteries were covered by a morass in front, the colonel judiciously took the advantage of some rising grounds, and turned their left, by which he brought them to a close engagement. A very smart fire was supported for some time; but our troops advanced with such impetuosity, that, notwithstanding the personal bravery of Hyder Aly, the effects of the boasted discipline which he had introduced, and the vast superiority of numbers, the allied armies were in a little time thrown into disorder, and totally defeated. Our army pursued the enemy for two days; they took near seventy pieces of cannon. Our loss, considering the greatness of the victory, and the formidable force they engaged, was very inconsiderable.

In the course of these operations some ships were fitted out at Bombay, which conveyed 400 European soldiers,

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and about 800 ſeapoys, to attack Mangalore, one of Hyder Aly's principal ſea-ports, where all his ſhips lay. This enterpriſe ſucceeded; the forts were taken, February 25, 1768, with very little loſs, and they brought off nine veſſels of conſiderable ſize, beſides ſeveral ſmaller ones. Through ſome ſtrange error, a ſmall garriſon was left in the forts, who were immediately after made priſoners by Hyder Aly.

In America, the quiet which began to take place upon the repeal of the ſtamp-act was again diſturbed, and the affairs of that country again fell into confuſion. The laws which had been paſſed in the laſt year, for the purpoſe of raiſing a revenue in the colonies by the laying of duties on the importation of glaſs, paper, and ſome other commodities from England, and the conſequent eſtabliſhment of cuſtom-houſes in their ports, had been productive of very alarming diſturbances in the colonies, and of conſequences highly prejudicial to the commercial intereſts of this country. It may appear unfortunate, that, after the recent example of the miſchiefs that attended the ſtamp-act, and the conſequent repeal of it from a conviction of thoſe evils, a meaſure of a ſimilar tendency ſhould be ſo ſuddenly adopted, before the ill humours that had ariſen from the former had yet ſubſided. Much has been ſaid on both ſides on this ſubject, and moſt of the arguments already uſed on the repeal of the ſtamp-act have been already repeated.

The firſt public inſtance of diſguſt ſhown upon this occaſion was at Boſton, where, at a meeting of the inhabitants, October 27, 1767, ſeveral reſolutions were entered into, for the encouragement of manufactures, the promoting of economy, and the leſſening and reſtraining the uſe of foreign ſuperfluities. Theſe reſolutions, all of which were highly prejudicial to the commerce of this country, contained a long liſt of enumerated articles, which it was either determined not to uſe at all, or in the ſmalleſt poſſible quantities. A ſubſcription was opened at the ſame time, and a committee appointed, for the encouragement of their own former manufactures, and the eſtabliſhment of new ones. Among theſe, it was reſolved

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to give particular encouragement to the making of paper, glaſs, and the other commodities that were liable to the payment of the new duties, upon importation. It was alſo reſolved to reſtrain the expenſes of funerals, to reduce dreſs to a degree of primitive ſimplicity and plainneſs, and in general not to purchaſe any commodities from the mother-country, that could be procured in any of the colonies.

Theſe reſolutions were adopted, or ſimilar ones entered into, by all the old colonies on the continent. In ſome time after (February 11, 1768), a circular letter was ſent by the aſſembly of Maſſachuſet's Bay, ſigned by the ſpeaker, to all the other aſſemblies in North America. The deſign of this letter was to ſhow the evil tendency of the late acts of parliament, to repreſent them as unconſtitutional, and to propoſe a common union between the colonies, in the purſuit of all legal meaſures to prevent their effect, and a harmony in their applications to government for a repeal of them. It alſo expatiated largely on their natural rights as men, and their conſtitutional ones as Engliſh ſubjects; all of which, it was pretended, were infringed by theſe laws.

It happened, unfortunately, that a continued courſe of altercation, and an almoſt total difference of opinion upon every ſubject, had prevailed for ſome years between the aſſemblies of Maſſachuſet's Bay and the governor of that colony. This altercation was carried on with much aſperity; and both ſides, on ſome occaſions, ſeemed more attentive to the keenneſs of their obſervations, and the tartneſs of their replies, than to the utility or propriety of the meaſures they were purſuing. The ſeverity of theſe altercations left a bitterneſs behind, that was far from being favourable to that happy temper and conciliating diſpoſition, which were now ſo much to be wiſhed.

A letter which the governor had received from the earl of Shelburne, one of the principal ſecretaries of ſtate, and which contained very ſevere animadverſions on the conduct of the aſſembly, was, in purſuance of the governor's order, and the intention of writing it, read

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to that body by the ſecretary. This letter cauſed great heats in the aſſembly; and, it is ſaid, the ſtricteſt decency was not obſerved in the debates it occaſioned, and the obſervations that were made upon it. In theſe debates it was ſaid, that the charges made in it muſt have been founded upon a miſrepreſentation of facts by the governor, in his deſpatches to the miniſtry; and a committee was appointed to wait on him, to deſire a copy of lord Shelburne's letter, as well as of thoſe which he had written himſelf relative to the aſſembly, and to which the charges in that muſt refer. Theſe copies being refuſed, the aſſembly wrote a letter to the ſecretary of ſtate, in which they recite the circumſtances of the tranſaction, and take great pains to vindicate their own conduct at the expenſe of the governor, to whoſe miſrepreſentation they charge the miniſter's ill opinion of it. They alſo wrote letters to the lords of the treaſury, and moſt of the great officers of ſtate, in which, with great profeſſions of loyalty, they remonſtrated ſtrongly againſt the operation of the late acts of parliament; which they inſinuated to be contrary to the conſtitution, and totally ſubverſive of their rights and liberties.

The governor, finding that there were no hopes to mollify the refractory ſpirit which was ſo predominant in the aſſembly, adjourned it on the 4th of March. In the ſpeech which he delivered upon this occaſion were many ſtrictures on their conduct, particularly in regard to lord Shelburne's letter; and he complained greatly of ſome turbulent factious members, who, under falſe pretences of patriotiſm, had unhappily acquired too great an influence, as well in the aſſembly, as among the people; who ſacrificed their country to the gratification of their paſſions, and to the ſupport of an importance which could have no exiſtence but in times of trouble and confuſion.

In the midſt of theſe diſtractions in America, a new eſtabliſhment was made at home, by which a ſecretary of ſtate was appointed to the department of the colonies only. A great effect was hoped from this arrangement. Lord Hillſborough, who appeared firſt in that office, wrote a circular letter to the governors of all the colo-

nies, who had before received the circular letters from the aſſembly at Boſton. By this letter his majeſty's diſlike to that meaſure was expreſſed in the ſtrongeſt terms. It was declared, that he conſidered it as of the moſt dangerous and factious tendency; calculated to inflame the minds of the people; to promote an unwarrantable combination; to excite an open oppoſition to, and denial of, the authority of parliament; and to ſubvert the true principles of the conſtitution: And that his majeſty expected from the known affection of the reſpective aſſemblies, that they would defeat this flagitious attempt to diſturb the public peace, and treat it with the contempt it deſerved, by taking no notice of it.

Another letter, of the ſame date (April 22), was written to governor Bernard, in which the ſame exceptions to the circular letter are repeated, which is ſaid to have been a meaſure carried through a thin houſe at the end of a ſeſſion, and in which the aſſembly departed from that ſpirit of prudence, and reſpect to the conſtitution, which ſeemed to have influenced a majority of its members, in a full houſe, and at the beginning of the ſeſſion; whence his majeſty could not but conſider it as a very unfair proceeding, and to have been carried by ſurpriſe through the houſe of repreſentatives. A requiſition was then made, in his majeſty's name, That the new aſſembly would reſcind the reſolution which gave birth to the circular letter, and declare their diſapprobation of ſo raſh and haſty a proceeding: That, as his majeſty had the fulleſt reliance on the affections of his ſubjects in the Maſſachuſets Bay, he had the better ground to hope, that the attempts made by a deſperate faction to diſturb the public tranquillity would be diſcountenanced, and that the execution of the meaſure recommended would not meet with any difficulty.

On the 21ſt of June this part of the letter was laid before the new aſſembly by the governor, with a meſſage, in which he earneſtly requeſted their compliance; but obſerved, that, in caſe of a contrary conduct, he had received his majeſty's inſtructions in what manner to act, and muſt do his duty. This produced a meſſage from

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the assembly, in which they desired a copy of the instructions which the governor alluded to, as well as of some letters and papers which he had laid before the council. The governor sent a copy of the remainder of lord Hillsborough's letter, in which the instructions were contained, to the assembly, by which he was directed, in case of their refusal to comply with his majesty's reasonable expectation, to dissolve them immediately, and to transmit a copy of their proceedings upon it, to be laid before the parliament.

The assembly not having given any answer to the requisition for about a week, the governor sent a message to urge them to it; in answer to which they applied for a recess, that they might have an opportunity to consult their constituents upon the occasion. This being refused, the question was put for rescinding the resolution of the last house, which passed in the negative by a division of ninety-two to seventeen. A letter was then resolved on to lord Hillsborough, and an answer to the messages from the governor. In both these pieces great pains are taken to justify the conduct of the last assembly, as well as of the present; the charges of surprise, and of a thin house, are absolutely denied; and, on the contrary, they allege, that the resolution for the circular letter was passed in a full session, and by a great majority. The legality of that measure was defended, as it was the inherent right of the subject to petition the king, either jointly or severally, for a redress of grievances. In regard to rescinding the resolution, it was observed, that, to speak in the language of the common law, it was not now *executory*, but to all intents and purposes *executed*: That the circular letters had been sent, and many of them answered; that both have appeared in the public papers; and that they could now as well rescind the letters as the resolves on which they were founded, and that both would be equally fruitless. In the letter to the secretary of state, they made several comments, with great freedom, on the nature of the requisition; and alleged that it was unconstitutional, and without a precedent, to command a free assembly, on

pain of its exiſtence, to reſcind any reſolution, much leſs that of a former houſe. They complained greatly of the baſe and wicked miſrepreſentations that muſt have been made to his majeſty, to cauſe him to conſider a meaſure perfectly legal and conſtitutional, and which only tended to lay the grievances of his ſubjects before the throne, as of an "inflammatory nature, tending to create unwarrantable combinations, and to excite an oppoſition to the authority of parliament," which are the terms in which it is deſcribed in the letter. They conclude with profeſſions of the greateſt loyalty, and the ſtrongeſt remonſtrances againſt the late laws. They were in the mean time preparing a petition to the king for the removal of their governor, in which they laid a number of charges againſt him, that were urged with great acrimony; but, before the finiſhing hand could be put to it, the aſſembly was diſſolved.

The circular letters, which the ſecretary of ſtate had written to the other colonies, were attended with as little efficacy as that which was ſent to Boſton. The different aſſemblies wrote anſwers to that of Maſſachuſets Bay, which were received by the late ſpeaker, in which they expreſſed the higheſt approbation of their conduct, and a firm reſolution to coincide in their meaſures. Some of them alſo returned addreſſes to the ſecretary of ſtate, in which they not only juſtified the meaſures taken by the aſſembly at Boſton; but animadverted, with great freedom, on ſeveral paſſages, as well as on the requiſition, contained in his letter. In the mean time, moſt of them entered into reſolutions, not to import or purchaſe any Engliſh goods, except what were already ordered for the enſuing fall, and ſuch articles of neceſſity as they could not diſpenſe with, until the late laws were repealed.

Previouſly to the diſſolution of the aſſembly (June 10), a dreadful tumult happened at Boſton, in conſequence of a ſeizure made by the board of cuſtoms, of a ſloop belonging to one of the principal merchants of that town. It appears that this ſloop was diſcharged of a cargo of wine, and in part reloaded with a quantity of oil, which was however done under pretence of converting her into a

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ſtore, without any great attention having been paid to the new laws, or to the cuſtom-houſe regulations. Upon the ſeizure, the officers made a ſignal to the Romney man of war; and her boats were ſent manned and armed, who cut away the ſloop's cables, and conveyed her away under the protection of that ſhip. The populace having aſſembled in great crowds upon this occaſion, they pelted the commiſſioners of the cuſtoms with ſtones, broke one of their ſwords, and treated them in every reſpect with extreme outrage; after which, they attacked their houſes, broke the windows, and hauled the collector's boat to the common, where they burnt it to aſhes.

The officers of the cuſtoms, upon theſe extraordinary acts of outrage, found it neceſſary, for the ſecurity of their lives, to retire on board the man of war, whence they removed to Caſtle William, a fortification on a ſmall iſland in the harbour, where they reſumed the functions of their office. In the mean time, town-meetings were held, and a remonſtrance preſented to the governor, in which the rights they claimed were ſupported in direct oppoſition to the legiſlature, and an extraordinary requiſition made, that he would iſſue an order for the departure of his majeſty's ſhip the Romney out of the harbour.

The temper and conduct of the people became every day more licentious. That republican ſpirit to which this colony owed its foundation, and the free principles in which the inhabitants were educated, being now operated upon by meaſures which they regarded as totally ſubverſive of their rights, and inflamed by the arts of ſome factious and deſigning men, who had great influence among them, they ſeemed equally incapable to preſcribe due limits to their paſſions, and to preſerve a proper decency in the manner in which they expreſſed them. Their public writers, as well as ſpeakers, were generally very intemperate; and a certain ſtyle and manner was introduced, which ſeemed peculiar to themſelves, and too ridiculous for ſerious compoſition. In ſome of theſe publications, while they ſeemed, on the one hand, to forget their dependance as colonies, and to aſſume the tone of

distinct and original states; on the other, they eagerly claimed all the benefits of the English constitution and the highest rights of Englishmen, but did not recollect, that it was that dependance only, which could entitle them to any share of those rights and benefits. A light and irreverent language became the mode, in all matters which related to government, or even to the legislature; but when their provincial assemblies came to be mentioned, they were no longer known by that appellation, but were upon every occasion distinguished by the title of parliaments.

A report that their petition to the king had not been delivered by the secretary of state, contributed greatly to excite the ferment and ill blood among the people. It was said that the petition was refused to be received in London, upon an objection that was made, that the colony agent was not properly authorised to deliver it, as he had been appointed by the assembly without the consent of the governor. The dissolution of the general assembly increased the disorder; and it may be supposed that a circumstance attending the sloop that was lately seized, which was the property of one of the representatives of the town of Boston, did not contribute to lessen it.

While things were in this unhappy situation, two regiments were ordered from Ireland to support the civil government, and several detachments from different parts of the continent rendezvoused at Halifax for the same purpose. No account of a menace made by the most dangerous and cruel enemy could excite a greater alarm than this intelligence did at Bolton, and it was treated in all the language of invasion and conquest. Upon the first rumour of it, a meeting of the inhabitants was immediately summoned at Faneuil-hall (Sept 12), where they chose one of their late popular representatives as moderator. A committee was then appointed to wait on the governor, to know what grounds he had for some intimations he had lately given, that certain regiments of his majesty's forces were expected in that town; and at the same time to present a petition, to desire he would issue

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precepts to convene a general assembly with the greatest speed; to both which an immediate answer was required. The governor answered, that his information about the arrival of the troops was of a private nature, and that he could do nothing as to the calling of another assembly for this year, until he received his majesty's instructions, under whose consideration it now was.

A committee, which had been appointed to consider of the present state of their affairs, gave in their report a long declaration and recital of their rights, and the supposed infractions of them, which had been lately made; and passed several hasty resolutions, particularly in regard to the legality of raising or keeping a standing army among them, without their own consent, which they founded on the act of the first of king William, which declares it to be contrary to law, to keep an army in the kingdom in time of peace without the consent of parliament. This report and the resolutions were unanimously agreed to by the assembly, and a general resolution passed, which was also founded on a clause in the same law, which recommends the frequent holding of parliaments, by which a convention was summoned to meet at Boston. In pursuance of this resolution, the four members who had represented the town in the late assembly were now appointed as a committee to act for it in the convention; and the select-men were ordered to write to all the other towns in the province, to propose their appointing committees for the same purpose.

The most extraordinary act of this town-meeting, was a requisition to the inhabitants, that, as there was a prevailing apprehension in the minds of many of a war with France, they should be accordingly provided with arms, ammunition, and the necessary accoutrements, so as to be properly prepared in case of sudden danger. A day of public prayer and fasting was then appointed, and the meeting dissolved.

The circular letter which the select-men sent to the other towns in the province, was written in the same spirit as the acts and resolutions which it inclosed, and on which it was founded. In this time of general disaffec-

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tion, when ninety-ſix towns appointed committees to attend the convention, the town of Hatfield refuſed to concur in this meaſure; and the ſpirited and judicious anſwer which the inhabitants returned to the ſelect-men at Boſton, will be a laſting monument of the prudence and good ſenſe that influenced their conduct.

The firſt act of the convention, was a meſſage to the governor (Sept. 22), in which they diſclaimed all pretence to any authoritative or governmental acts: That they were choſen by the ſeveral towns, and came freely and voluntarily, at the earneſt deſire of the people, to conſult and adviſe ſuch meaſures as might promote peace and good order in the preſent alarming ſituation. They then reiterate the preſent grievances, complain that they are groſsly miſrepreſented in Great Britain, and preſs the governor in the moſt urgent terms to convoke a general aſſembly, as the only means to guard againſt thoſe alarming dangers that threatened the total deſtruction of the colony. The governor admoniſhed them, as a friend to the province, and a well-wiſher to the individuals of it, to break up their aſſembly inſtantly, and to ſeparate before they did any buſineſs: That he was willing to believe that the gentlemen who iſſued the ſummons for this meeting were not aware of the nature of the high offence they were committing; and that thoſe who had obeyed them had not conſidered the penalties they would incur, if they perſiſted in continuing their ſeſſion: At preſent, ignorance of law might excuſe what was paſt; a ſtep farther would take away that plea: That a meeting of the deputies of the towns was an aſſembly of the repreſentatives of the people to all intents and purpoſes; and that the calling it a committee or convention would not alter the nature of the thing. He added, that if they did not regard this admonition, he muſt, as governor, aſſert the prerogative of the crown in a more public manner: That they might aſſure themſelves, for he ſpoke from inſtruction, the king was determined to maintain his entire ſovereignty over that province; and whoever ſhould perſiſt in uſurping any of the rights of it, would repent of his raſhneſs.

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This anſwer produced another meſſage, wherein they juſtified their meeting as being only an aſſemblage of private perſons, and deſired explanations as to the criminality with which their proceedings were charged. The governor refuſed to receive that or any other meſſage from them, as it would be admitting them to be a legal aſſembly, which he would not by any means allow. The convention then appointed a committee, who drew up a report in terms of great moderation, which was approved of by the aſſembly. In this they aſſign the cauſes of their meeting, diſclaim all pretence to any authority whatſoever, and adviſe and recommend it to the people to pay the greateſt deference to government, and to wait with patience for the reſult of his majeſty's wiſdom and clemency, for a redreſs of their grievances. They at the ſame time declare for themſelves, that they will in their ſeveral ſtations yield every poſſible aſſiſtance to the civil magiſtrate, for the preſervation of peace and order, and the ſuppreſſion of riots and tumults. The convention having then prepared a repreſentation of their conduct, and a detail of many of the late tranſactions, to be tranſmitted to their agent in London, on September 29 was diſſolved.

The day the convention broke up, the fleet from Halifax, conſiſting of ſeveral frigates and ſloops of war, and ſome tranſports, with two regiments and a detachment of artillery on board, arrived in the harbour. Some difficulties aroſe at firſt about quartering the troops, which the council refuſed to agree to, as the barracks of Caſtle William were ſufficient to receive them; this was however got over by providing quarters, which were then to be conſidered as barracks, and the council upon that footing allowed them barrack proviſions. General Gage arrived ſoon after, as did the two regiments from Ireland.

In this year the king of Denmark arrived in England, and paid a viſit to his auguſt brother and ſiſter-in-law, their Britannic majeſties. On the 19th of September a very grand entertainment was given by their majeſties to the royal viſitor at the queen's palace, at which the princeſs-dowager of Wales, the duke of Glouceſter, and

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a great number of the nobility, were present. There were one hundred and ſeventy covers in the entertainment, and afterwards a ball. Previous to this, in the month of Auguſt, his Daniſh majeſty viſited the univerſity of Cambridge, where he was received by the officers in their ſcarlet robes; after which the vice-chancellor ſupped with the king at his lodgings.

From Cambridge he proceeded to Tadcaſter, Wentworth-caſtle, York, Leeds, Grimſthorpe, Burleigh, Newark, Derby, Chatſworth, Liverpool, Manchester. He inſpected the duke of Bridgewater's canal, and returned by Leiceſter, Harborough, &c. to London, where he arrived in September.

A few days afterwards he ſet out upon another tour, in which he viſited the univerſity of Oxford, where the honorary degree of doctor of civil law was conferred upon him and his nobles: He viewed the public buildings, and appeared greatly to admire their magnificence and elegance. From Oxford he went to Ditchley-Park, Blenheim, Woodſtock, Buckingham, and lord Temple's at Stowe, Hampton Court, and Windſor Caſtle. Wherever his Daniſh majeſty condeſcended to ſhow himſelf, he was almoſt an object of adoration with the admiring multitude, though it has been remarked, that his obſervations upon what he ſaw were neither pertinent nor ſagacious.

On the 23d of September his Daniſh majeſty was entertained in a ſuperb manner by ſir Robert Ladbroke (in the room of the lord mayor, who was indiſpoſed at that time). Before dinner his majeſty, attended by the corporate body of the city of London, went in grand proceſſion upon the river, from which he landed at the Temple, where an elegant collation was provided for him by the legal ſocieties there. From this place he proceeded in the city coach to the Manſion-houſe, which was fitted up in a grand ſtyle for his reception.

The king of Denmark's table at St. James's was at the expenſe of the king of Great Britain, and the daily expenſe was eſtimated at about two hundred pounds.

His majeſty eſtabliſhed in this year the Royal Academy of Arts, for inſtructing young men in the principles of archi-

architecture, ſculpture, and painting. The artiſts had long before this formed themſelves into a ſociety, and had carried their reſpective arts to a very high degree of perfection under the patronage of the public. The new inſtitution, therefore, had, for ſome time, little other effect than to divide the artiſts into parties. Theſe, however, at length happily ſubſided, though it can ſcarcely be affirmed, that the inſtitution has contributed greatly to the improvement and cultivation of the arts.

CHAP. IV.

Diſcuſſions in parliament—Mr. Wilkes's petition—Corſica ceded to the French—A petition from the council of Maſſachuſets—American affairs—Government enters into an agreement with the Eaſt India company—The debts due on the civil liſt ordered to be paid—The preſatory remarks to lord Weymouth's letter declared to be a libel—Mr. Wilkes expelled the houſe of commons—Mr. Wilkes re-elected for Middleſex—That election declared void—State of Europe—War between Ruſſia and Turkey—Unhappy ſtate of Poland—Petitions for redreſs of grievances, and addreſſes approving of the preſent meaſures, alternately ſent to the king—Petition of Middleſex—The miniſters exert themſelves to obtain addreſſes—The merchants of London inſulted by the populace while proceeding to St. James's with their addreſs—Riot in Spitalfields—Mungo Campbell condemned for ſhooting lord Eglintoun, in Scotland—Domeſtic affairs of the India company—Superviſors appointed to go to India.

[A. D. 1768, 1769.]

THE Britiſh parliament aſſembled on the 8th of November. In the ſpeech from the throne, it was recommended to take into further conſideration thoſe great com-

commercial intereſts which had been entered upon before, but which had not been brought to a final iſſue, from the ſhortneſs of the laſt ſeſſion of the late parliament. A concern was expreſſed, that all the other powers of Europe had not been ſo careful as his majeſty, to avoid taking any meaſures that might endanger the general tranquillity: That, however, the ſtrongeſt aſſurances had been received from them, of their pacific diſpoſitions towards this country.

Particular notice was taken of the late conduct of the Americans; and the capital of one of the colonies was declared to be in a ſtate of diſobedience to all law and government, and to have proceeded to meaſures ſubverſive of the conſtitution, and attended with circumſtances that manifeſted a diſpoſition to throw off their dependance on Great Britain.

The addreſſes were carried in the uſual forms; but many ſevere ſtrictures were made upon the conduct of adminiſtration, in reſpect both to foreign affairs and thoſe of the colonies. The dangerous breach of treaty, and violation of the general tranquillity by the invaſion of Corſica, and the increaſing and baneful influence of the family compact, were particularly inſiſted on.

The houſe declared in their addreſs to his majeſty, that though they ſhould be ever ready to redreſs the juſt complaints of the colonies, they were nevertheleſs determined to maintain the ſupreme authority of the Britiſh legiſlature over every part of the Britiſh empire; and they gave ſtrong aſſurances of their ready concurrence in every regulation that appeared likely to eſtabliſh the conſtitutional dependance of the American colonies.

On the 14th of November a petition was delivered, by a member of the houſe, from Mr. Wilkes, repreſentative of the county of Middleſex, then in the king's bench priſon. This petition, which furniſhed an occaſion for the memorable proceedings which followed, contained a recapitulation of all the proceedings againſt him, from the time of his apprehenſion, by a general warrant in April 1763, to the time of his commitment in 1768. In conſequence of this, the proper officers were ordered

to

lay before the houſe, a copy of the records of the proceedings upon the ſeveral informations, in the court of king's bench, againſt Mr. Wilkes. The houſe appointed a day for hearing the matter of the petition; and Mr. Webb, late ſecretary of the treaſury, againſt whom a heavy charge was preferred in the petition, was ordered, among ſeveral others, to attend the houſe at the ſame time. In the interim Mr. Webb petitioned for an opportunity to vindicate himſelf, at the bar of the houſe, from the charges that were alleged againſt him; which he was allowed to do, either by himſelf or his counſel. At the time of hearing the matter of the petition, Mr. Wilkes was alſo allowed the liberty to attend the houſe, in order to ſupport the allegations of his petition. The day finally appointed for taking theſe matters into conſideration, was the 27th of January in the approaching year.

The oppoſition, at this period, though divided into two parties, which had totally differed upon ſome great political principles, yet upon the whole frequently agreed in ſentiment: They firmly united in a diſlike to moſt of the principal meaſures which the adminiſtration had latterly purſued, and, without any apparent preconcert, acted upon many occaſions as if they had been one connected party. Among theſe the marquis of Rockingham, and his adherents, were the principal as to ſtrength and number; and they were of courſe ſtrongly attached to the meaſures which they had purſued with regard to America. The other party, which was compoſed of the friends of Mr. Grenville, though they juſtified the general principle of American taxation, were but little diſpoſed to approve of the ſteps taken by the preſent miniſtry, which they conſidered not only as ineffectual but as ill-timed.

From this caſual coincidence of opinion in many public matters of two formidable parties, whoſe leaders had filled the firſt offices of the ſtate, the miniſtry, though generally under the ſhelter of a ſtrong majority, found, upon many occaſions, great difficulties in their proceedings, and it was accordingly a very buſy winter. A

motion was made early in the ſeſſion, that copies of all the correſpondence between the ſecretaries of ſtate, and our miniſters at the court of France, relative to the affairs of Corſica, from the 1ſt of January, ſhould be laid before the houſe, with the ſeveral anſwers on the ſubject: Though it was negatived, it produced a long diſcuſſion on the affairs of Corſica. On the one ſide it was contended, that that iſland was a place of ſmall importance, and an acquiſition which would rather prove a *miſchief* than *a benefit to any foreign nation which ſhould poſſeſs it*; and that it was the greateſt abſurdity to think of entering into a war, for an object of ſo little conſequence, eſpecially in our preſent circumſtances, loaded as we already were, with an accumulation of debt.

On the other hand it was contended, that every acceſſion of power to France was dangerous to this country: That inſtead of proceeding upon a minute eſtimate of the value of Corſica, this invaſion ought to be conſidered as a violent breach of treaty, and ſubverſive of that equilibrium which was neceſſary to be kept up in the governments of Europe: And as to the danger of a war with France, it was ſaid, that if ſhe was prepared and willing to come to ſuch an extremity, for a matter of no conſequence, or value, war might be regarded as already declared, as the want of a pretence could not produce a moment's delay.

In a few days after a motion was made for an addreſs, that there be laid before the houſe, copies of all the applications from the civil magiſtrates to the war-office for troops; and of all orders and letters to the troops employed, or to the officers commanding them. As the deſign of this motion was evidently to throw cenſure upon thoſe who ordered the interference of the military power in the late riots and diſturbances, it was urged againſt it, that too minute an inquiry into the acts of government upon that occaſion, or any public blame thrown upon them, might ſerve to lower them in the public opinion, and to increaſe that licentiouſneſs which was already too prevalent among the populace. The

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motion, therefore, paſſed in the negative by a very great majority.

Two motions, reſpecting the orders and letters ſent by government to their civil and military officers in America, ſince the violences were committed there, in oppoſition to the collection of the late duties impoſed upon the colonies, met with the ſame fate. Theſe affairs, with ſeveral caſes of diſputed elections, occupied ſo much time, that the houſe entered upon no other public matters till after the Chriſtmas holidays. On the 22d of December they adjourned till the 19th of the following January.

(1769.) When the parliament met according to adjournment, the critical ſtate of the colonies engaged their attention; the public had long waited, with an anxious ſolicitude, for this meeting, as they hoped an effectual remedy would be found for the diſorders, and an end conſequently put to the diſturbances in that part of the world. The heavy cenſures paſſed in the late ſpeech upon one of the principal North American colonies, could not fail to increaſe this anxiety, and eagerneſs of expectation, upon the iſſue of a buſineſs in which the whole Britiſh empire was deeply intereſted. Thoſe who imagined that the ſupreme authority of the legiſlature ought to be exerted to its utmoſt extent; who were diſguſted with many extravagancies lately committed, and conceived that the unexampled licentiouſneſs which appeared in the province of Maſſachuſets Bay, ſhould be curbed with a ſtrong hand, were gratified with the preſent appearances; which ſeemed to intimate meaſures of vigour and ſeverity. On the contrary, the advocates for America, thoſe who from principle were lovers of conſtitutional freedom, as well as thoſe who were naturally inclined to moderation, were conſiderably alarmed, as they thought they perceived a diſpoſition to urge matters to violent and probably dangerous extremities.

Early in the ſeſſion a committee had been appointed to inquire into the ſtate of theſe affairs. Each party was deſirous of this inquiry, but differed both in their mo-

tives, and in the mode which they meant to purſue. As coercive meaſures ſeemed now to have been adopted by adminiſtration, a cloſe inquiry was attempted into the conduct of the ſeveral governors and other officers of the crown, as well as into the propriety of the orders, which, at different times, had been iſſued to them from home; but this was ſtrenuouſly oppoſed by the miniſtry and their friends, who probably conceived that the dignity of government might ſuffer from ſuch a diſcuſſion. In both houſes of parliament frequent and long debates aroſe upon theſe ſubjects; in which, contrary to the preconceived opinion without doors, the ſuperior ſtrength of the miniſtry was conſtantly apparent, and they were ſupported by a great majority upon every queſtion.

On the 25th of January, a petition was preſented to the houſe, ſigned by the greater part of the council of the province of Maſſachuſets Bay, and by Mr. Donforth as preſident. It appeared, however, that this petition had not paſſed in a legal aſſembly of the council, and conſequently no perſon could be authoriſed to ſign it as preſident; it was, therefore, refuſed under that title, and was ordered to be brought up, only as a petition from Samuel Donforth, in behalf of the ſeveral individual members of the council at whoſe requeſt it had been ſigned.

The deſign of this petition was to obtain a repeal of the late revenue acts; the charter, immunities, and privileges of the colonies, and their general rights as Engliſh ſubjects, were enlarged upon in terms of the greateſt temper and moderation, without ſeeming to call in queſtion the ſupreme power of the legiſlature; although it was implied that thoſe rights had been violated, and it was requeſted that they might be ſecured in future. The inability of the colony to addreſs the houſe in their legiſlative capacity, from the diſſolution of the general aſſembly, was regretted; and a long recital made of the difficulties, hardſhips, and dangers, which their anceſtors had experienced, who, for the preſervation of civil and religious liberty, had made ſettlements in the moſt inhoſpitable foreſts, and been expoſed to the rage of the

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moſt ſavage and cruel enemies; where, from the nature of the climate, and the ſterility of the ſoil, no advantage to their temporal intereſts was even to be hoped for. From theſe premiſes it was inferred, that they had not only dearly purchaſed their ſettlements, but acquired an additional title, beſides their common claim as men and as Britiſh ſubjects, to the immunities and privileges which they aſſerted had been granted to them by charter.

The great and willing ſervices performed by the colonies at their own expenſe in our wars, the ſhare they virtually bore in our taxes, by the conſumption of our manufactures; and their inability to pay the duties, were brought as arguments to ſolicit their repeal, and to ſhow the title they held, not only to a ſecurity of their rights, but even to favour. Reſolutions, and an addreſs to his majeſty upon American affairs, were however paſſed in the houſe of lords, on the 8th of February, and thence tranſmitted to the commons, and paſſed, by which they became the act of both houſes. By theſe reſolutions, the late acts of the houſe of repreſentatives of the province of Maſſachuſets Bay, which tended to call in queſtion, or to import a denial of the authority of the ſupreme legiſlature, to make laws to bind the colonies in all caſes whatſoever, were declared to be illegal, unconſtitutional, and derogatory of the rights of the crown and parliament of Great Britain. The circular letters written by the ſame aſſembly, and ſent to thoſe of other provinces, requiring them to join in petitions, and ſtating the late laws to be infringements of the rights of the people in the colonies, were alſo declared to be proceedings of a moſt unwarrantable and dangerous nature, calculated to inflame the minds of the people, and tending to create unlawful combinations, repugnant to the laws of Great Britain, and ſubverſive of the conſtitution.

The town of Boſton was declared to have been for ſome time paſt in a ſtate of great diſorder and confuſion, diſturbed by riots and tumults of a dangerous nature, in which the officers of the revenue had been obſtructed by violence in the execution of their duty, and their lived endangered; and that ſeveral meetings had been held

there, at which reſolutions were entered into, both unconſtitutional, and tending to excite ſedition.

The election by the ſeveral towns and diſtricts, of deputies to ſit in the convention, and the meeting of it, were alſo declared to be daring inſults to his majeſty's authority, and an audacious uſurpation of the power of government.

The utmoſt ſatisfaction was expreſſed in the addreſs, at the meaſures which had been purſued to ſupport the conſtitution, and to induce, in the colony of Maſſachuſets Bay, a due obedience to the authority of the mother-country. The moſt inviolable reſolution was declared, to concur effectually in ſuch further meaſures as might be judged neceſſary to maintain the civil magiſtrates in a proper execution of the laws; and it was given as a matter of opinion, that nothing would ſo effectually preſerve royal authority in that province, as bringing the authors of the late unfortunate diſorders to exemplary puniſhment.

Though theſe reſolutions and the addreſs were carried with a powerful majority, they were oppoſed with firmneſs, and diſcuſſed throughout a very long debate with great ability. As both the right and propriety of American taxation, were brought within this diſcuſſion, the arguments under theſe heads have already been given in this Hiſtory, on the occaſion of laying on the ſtamp duties, and their repeal. Some new objections, however, were ſtarted upon the inutility of the late revenue laws, the meaſures purſued by adminiſtration for the execution of them, and ſome parts of the addreſs.

It was ſaid, that the right of taxation had been ſufficiently eſtabliſhed, and the dignity and ſupreme authority of the legiſlature properly aſſerted, by the declaratory act of the ſixth year of his preſent majeſty, as well as by a multitude of revenue laws paſſed in former reigns, and even in this: That the ill conſequences of the ſtamp-act had induced parliament to repeal it, and that tranquillity followed. It was, therefore, abſurd to make another experiment of the ſame kind, leſs productive of revenue, but more pernicious in its effects, than the former.

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The Rockingham and Grenville parties, ſuppoſed to be irreconcileable on theſe points, entirely united in theſe cenſures. They urged, that, admitting the repeal of the ſtamp-act to have been an improper meaſure, yet, from the moment of that repeal, the policy of the mother-country was altered, though her rights were not abridged. An attempt to tax the colonies no longer ſtood upon its ancient footing of wiſdom and practicability: That it was now become the practice of thoſe who had been the original cauſe of all the preſent diſorders in America, to repreſent the people there as in a ſtate of rebellion; and thus artfully they endeavoured to make the cauſe of the miniſtry the national cauſe, and to perſuade us, that the people (exaſperated by the miſmanagement and weakneſs of government, and having manifeſted their impatience in the commiſſion of ſeveral irregular and indefenſible acts) now wiſh totally to reject the authority of the mother-country. A number of duties were laid on, which derived their conſequence only from their odiouſneſs, and the miſchiefs they have produced; and an army of cuſtom-houſe officers were, if poſſible, more odious than the duties they were ſent to collect. It was ſaid, that ſome of thoſe who were the projectors, on under whoſe auſpices theſe duties had been laid on, were themſelves the zealous ſupporters, and at the head of that opinion, which totally denied the right in the legiſlature of any taxation in America; that their names had been held up in the colonies as objects of the higheſt veneration, and that their arguments were made the foundation of whatever was underſtood there to be conſtitutional. It was, therefore, no matter of ſurpriſe, that ſuch an unaccountable contradiction between language and conduct, ſhould produce the unhappy conſequences which the nation at that time experienced.

That part of the addreſs to the king which propoſed the bringing of delinquents from the province of Maſſachuſets to be tried at a tribunal in England, for crimes ſuppoſed to be committed in America, met with greater oppoſition than the reſolutions, and underwent many ſevere animadverſions. It was called a proceeding totally contra-

contrary to the ſpirit of our conſtitution; becauſe a man charged with a crime is, by the laws of England, uſually tried in the county where the offence is ſaid to have been committed. It was alſo contended, that it would be difficult in the laſt degree for the accuſed to bring over the evidence proper for his defence, though he was innocent, and that it would require a very affluent fortune to bring from Boſton, in America, to London all the witneſſes who would be indiſpenſably requiſite in ſuch caſes; while thoſe againſt him, being ſupported at the national expenſe, would be much more eaſily procured. Thus, it was ſaid, the life, fortune, and character, of every man who had the misfortune to become obnoxious to the governor of a province, would, in ſome degree, lie at his mercy. Theſe were the principal arguments employed by thoſe who did not approve of the late and preſent meaſures purſued in regard to the colonies; and who, of courſe, oppoſed the reſolutions and addreſs agreed to on this occaſion. Theſe reaſonings were but feebly anſwered on the other ſide; the miniſters were even unuſually cold and languid in ſupport of theſe meaſures. The ground they principally took, was the violent conduct of the Americans; which they alleged laid government under a neceſſity of uſing methods, however diſagreeable to itſelf, abſolutely neceſſary for the ſupport of its dignity, and of the legiſlative authority.

It was further urged on the ſame ſide, that the repeal of the ſtamp-act, inſtead of producing the wiſhed-for effects of gratitude, for the tender conſideration ſhown to their ſuppoſed diſtreſſes, and of a due ſubmiſſion to government, had, on the contrary, operated in ſuch a manner on the licentiouſneſs of the Americans, that it became highly neceſſary to eſtabliſh ſome mark of dependance on the mother-country: That the republican principles of the inhabitants of the province of Maſſachuſets Bay being operated upon by certain factious and deſigning men among them, broke out into acts of the moſt daring inſolence and the moſt outrageous violence, which ſufficiently evinced the original neceſſity of making them ſenſible of their dependance on the Britiſh legiſlature: They

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ſeemed rather to conſider themſelves as members of an independent ſtate than as a colony belonging to this country. The ſpirit which prevailed in Bolton was ſaid to be ſo totally ſubverſive of all order and civil government, and the conduct of the magiſtrates had left ſo little room for any hope of their properly fulfilling their duty during the continuance of the preſent ferment, that it became abſolutely neceſſary to revive and put into execution that law of Henry VIII. by which the king is empowered to appoint a commiſſion in England, for the trial there of any of his ſubjects guilty of treaſon in any part of the world. Such were the arguments of adminiſtration in ſupport of the ſyſtem which they had adopted reſpecting America; unfortunately, however, experience has not juſtified, in any degree, theſe arguments, or realized their expectations.

The affairs of the Eaſt India company next engaged the attention of the houſe: The agreement which government had entered into with the company, as well as the act for reſtraining their dividends, were now nearly expired, and the company thought it a proper time to make propoſals to the miniſtry, for the baſis of a new agreement; to obtain, if poſſible, more equitable conditions, and to ſettle their affairs upon a more permanent footing. A long negotiation was entered into upon this ſubject, and many propoſals made and refuſed. The great point in view with the company was, to obtain ſome compenſation for the large ſum of money which they annually paid to government. Among other propoſals for this purpoſe, a prolongation of their charter for five years was required; but this was refuſed. They ſaw by the late interference of government in their affairs, that they were in the hands of a power which they were unable to reſiſt: It was too late to make conditions, and they ſaw that even a ſmall relaxation of the reſtrictive power was rather conſidered as a favour than acknowledged as a compenſation. The ſtate of the arguments upon this important queſtion has been given upon a former occaſion. After a long train of negotiation, and the holding of ſeveral courts upon the ſubject, an accommo-

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dation was at length effected, and a bill was accordingly brought in to confirm it, and paſſed into a law. By this agreement the company continued to pay to the public, for five years to come, the annual ſum of 400,000l., and were at liberty to increaſe their dividend in that time to twelve and a half per cent.; the increaſe not to exceed one per cent. in any one year. It was alſo ſtipulated that if the company, from any cauſe, ſhould be compelled to reduce their dividend during that time, an equal ſum ſhould be deducted from the annual payment made to government; but if their dividends were reduced to ſix per cent., then the payment to the public ſhould be no longer continued. The company were bound to export during that term, Britiſh goods equal in value, upon an average, with thoſe exported annually for the laſt five years preceding. And if any ſurplus of the company's caſh ſhould remain in England, after payment of certain ſpecified debts, it was to be lent to the public at an intereſt of two per cent.

Such was the opulence of this company of merchants, that they agreed to pay, by their two laſt agreements, the incredible ſum of 2,800,000l. within five years. It might almoſt be imagined that a nation poſſeſſed of ſuch amazing reſources, and with only a common ſhare of wiſdom and virtue, would ſtand ſuperior even to the power of fortune; and that nothing leſs than ſome univerſal calamity could endanger its ſecurity, had not the melancholy experience of paſt ages, in foreign countries, and that of late years in our own, ſerved to convince us, that power and riches in a nation, like a plethoric ſtate in the human conſtitution, are to be regarded as little better than the prognoſtics of a ſpeedy diſſolution.

After the concluſion of this advantageous bargain with the company, the parliament, in obedience to a meſſage from the king, proceeded to make up the deficiencies of the civil liſt, which was above half a million in arrear. The ſubject was introduced by lord North on the laſt day of February. The meaſure however did not paſs without debate and oppoſition; motions infinitely diverſified by all the manœuvres of parliamentary dexterity, were made

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for papers which might lead to a discovery of mismanagement, or profusion, in the conduct of the revenue, and of the royal expenses. A review was taken of the state of the civil list, and the private revenues of the crown. Comparisons were made with the income and expenses of former reigns. The opposition contended that government had, besides the certain 800,000l., very considerable revenues, arising from the principality of Wales, and the dutchy of Cornwall, all which rendered that establishment more advantageous than ever it had been before; that an inquiry, therefore, became necessary, to discover by what means a deficiency should have arisen, especially as it had not been observed, that any extraordinary expenses had of late been entered into: That the present civil list establishment exceeded what had been found sufficient to support the government with honour and dignity at times when that establishment was more encumbered with incidental expenses than at the present period: That it was both equitable and necessary, to give the public the satisfaction of knowing in what manner their money had been expended, before new burdens were laid upon them. It was also urged on the same side, that, though the judges were rendered independent by the Revolution, as they were not left removeable at pleasure, it was in this reign that they were brought back into a state of dependance, as the appointment of their salaries depends, by a late act, upon the discretion of the crown; on this account it was added, that their subserviency to the court was complained of by the people. The minister, it was argued, ought to produce the necessary papers, to convince the people that the debts of the civil list were fairly contracted, since, while they remained under the mysterious veil of concealment, they would naturally suspect the scene to be darker if possible than it was.

The ministers replied, that they were willing to lay the accounts and papers that were required before the house; but that the length of time which was necessary to prepare them, and the lateness of the session, made it requisite to postpone the production of them till the next meeting,

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when they ſhould be ready. On the 2d of March the houſe reſolved that the ſum of 513,511l. ſhould be granted to diſcharge the arrears and debts due on the civil liſt, to the 5th of January 1769.

The affairs of Mr. Wilkes alſo occupied a conſiderable ſhare of attention during this ſeſſion. It has already been obſerved, that his petition had been deferred to the 27th of January. Many in adminiſtration ſeemed averſe to taking any ſteps relative to this gentleman, as innumerable inconveniences had formerly been experienced from ſuch a conduct. Mr. Wilkes, whilſt his opponents remained in a ſtate of inactivity with reſpect to him, furniſhed them with new matter of complaint. Lord Weymouth, we have already ſeen, had written to the chairman of the quarter ſeſſions in Surry, a letter, which Mr. Wilkes, and we may add the nation in general, conſidered as the cauſe of the maſſacres committed in St. George's Fields. It fell into the hands of Mr. Wilkes, who, ſtrongly impreſſed with the tragedy which had been acted before his eyes, publiſhed it with a preface, expreſſive of that horror and indignation which it naturally excited. Lord Weymouth acknowledged himſelf the writer of the letter, but made a complaint in the houſe of lords, as a peer, of a breach of privilege; and the publiſhers of the newſpapers having acknowledged that they received the copy from Mr. Wilkes, a complaint was made to the commons of the conduct of their member, and a conference was held upon the ſubject by the two houſes; and the matter being agitated, during the inquiry into the merits of Mr. Wilkes's petition, he, with great boldneſs, before the houſe confeſſed himſelf the author of the prefatory remarks.

The matter of the petition underwent a long examination, during which Mr. Wilkes, in the cuſtody of the marſhal of the king's bench, attended the houſe; upon which the commons finally reſolved, "That the two orders made by lord Mansfield, for the amendments of the informations exhibited in the court of king's bench againſt Mr. Wilkes, were according to law and juſtice, and the practice of the ſaid court, and that the complaint of Mr. Wilkes, in reſpect thereof, is frivolous; and that the

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aſperſions upon the ſaid chief juſtice, for making the ſaid two orders, thereby conveyed, are utterly groundleſs, and tend to prejudice the minds of the people againſt the adminiſtration of public juſtice." The houſe at the ſame time reſolved, that the charge againſt Philip Carteret Webb, eſq. was not made good.

On the 2d of February, lord Weymouth's letter and the prefatory remarks were taken into conſideration, when it was reſolved, "That the introduction of the letter addreſſed to Daniel Penton, eſq. chairman of the quarter ſeſſions at Lambeth, written by John Wilkes, eſq. was an inſolent, ſcandalous, and ſeditious libel, tending to inflame and ſtir up the minds of his majeſty's ſubjects to ſedition, and to a total ſubverſion of all good order, and legal government."

After theſe reſolutions had paſſed, lord Barrington moved that Mr. Wilkes ſhould be expelled, and Mr. Rigby ſeconded the propoſal; thoſe who ſupported the motion complicated his former crimes, for which he was now ſuffering puniſhment, with the preſent charge; the vote for expulſion paſſed, and a new writ was accordingly iſſued for the election of a member in his room.

It would ſeem now, that Mr. Wilkes's purſuit of the miniſtry had involved him in ſuch difficulties, as nothing could ſurmount, and that his ruin was totally completed. His popularity, however, increaſed in proportion to his difficulties; and his perſecution, as it was termed and generally underſtood, raiſed him new friends in every quarter. Nothing could be more popular, or more conſonant to the general opinion, than the ground he had taken in arraigning the ſecretary of ſtate's letter; every thing that had any connexion with that ſubject, was already held in a great degree of execration; and as this more particularly excited the public diſguſt, than almoſt any other matter that had appeared relative to it, a bold condemnation of its ſpirit and deſign was highly pleaſing. The ſpirit with which he acknowledged himſelf the author of the remarks, and the boldneſs with which he vindicated the propriety of his conduct, in the face of power, and in the preſence of a moſt awful aſſembly, was

captivating to many minds, and undoubtedly increaſed the number of his advocates.

A public meeting of the freeholders of Middleſex was held, previous to the election, at which ſome members of parliament attended, where his cauſe was ſet forth, as the cauſe of the people; and it was not only unanimouſly reſolved to confirm their former choice, by his re-election, but that the freeholders would attend and ſupport it entirely at their own expenſe. He was accordingly re-elected without oppoſition, though a prodigious number of freeholders attended, from an apprehenſion that ſuch an attempt would have been made. The return having been made to the houſe, it was reſolved, that Mr. Wilkes having been expelled this ſeſſion, was, and is, incapable of being elected a member of the preſent parliament; the late election was declared void, and a new writ iſſued for another.

The ſame ſpirit continuing apparently predominant in the people, and no candidate being to be found, that would hazard an oppoſition to the popular opinion, by ſetting up for the county, the time of election was prudently poſtponed to a farther day. In the mean time, a conſiderable meeting of gentlemen was held at a tavern in the city, with the profeſſed view of ſupporting Mr. Wilkes, where a ſubſcription was opened for that purpoſe, and a committee appointed to circulate it through the kingdom, the following cauſes being aſſigned as the motives for their conduct: "That as he had ſuffered very greatly in his private fortune, from the ſevere and repeated proſecutions he had undergone in behalf of the public; it ſeemed reaſonable to them, that thoſe who ſuffered for the public good, ſhould be ſupported by the public." At this meeting, upwards of 3000l. was ſubſcribed for the purpoſe aſſigned. The electors of the county of Middleſex had, previous to the expulſion, ſent a paper of inſtructions to their repreſentatives, for their conduct in parliament, which example had been followed by the cities of London and Weſtminſter, and the borough of Southwark. Theſe inſtructions implied great cenſure upon many late meaſures, and recommended a ſtrict inquiry

quiry into the tranſactions in St. George's Fields, and into the abuſe of the military; and the putting of the magiſtracy upon a reſpectable footing, as well as the purſuing of ſuch meaſures, as would reſtore harmony between the mother-country and the colonies, were along with many other things particularly recommended.

At the enſuing election for the county of Middleſex, a mercantile gentleman was induced to offer himſelf a candidate; a meaſure at this time highly unpopular, as it was apprehended that advantage would be taken, of the right which the houſe poſſeſſes, to judge in all caſes of diſputed election, and that the deciſion might be contrary to the ſenſe of the county; which was the more apprehended, as it was reported that ſome declaration of that nature had been made by one of the miniſters. It appears that the new candidate had not properly conſidered, how far his natural fortitude was equal to this arduous undertaking. The reception he met with, and the countenance of the freeholders, had, however, ſuch an effect upon him, that he was glad to retire in haſte, not having been able to find a man in the county, that was hardy enough even to put him in nomination, and Mr. Wilkes was again unanimouſly re-elected.

This election, as well as the former, was declared void, and nearly another month was ſuffered to elapſe, before the time was fixed for a new one. It was now thought, that this mode of electing, and declaring void, would have been carried on to the end of the ſeſſion; and that it would then have lain over to the next meeting, in which time the minds of men might have cooled, or ſome expedient might have been found to change the nature of the diſcuſſion; and many thought, that, in the preſent circumſtances, it would have been the moſt prudent conduct that could have been purſued; for though great debates aroſe, upon the reſolution of incapacitation, and the ſubſequent ones of making void the election, yet the public did not think themſelves ſo much intereſted in them, nor their rights in any degree ſo materially affected, as by the ſucceeding meaſure.

A different conduct was however adopted, and a gentleman in a military character, and of conſiderable connexions, though of no fortune or intereſt immediately in the county, was hardy enough to vacate his ſeat in parliament by the acceptance of a nominal place, and to encounter the whole weight of popular odium, by declaring himſelf a candidate for the county of Middleſex: A meaſure at that time ſuppoſed to be attended with ſo much danger, that policies were ſaid to have been opened upon his life, at ſome of the inſurance-offices in the city.

This danger however proved to be only imaginary; for though ſome riots happened upon the road, the election (April 13) was conducted with great order, the fear of giving any occaſion to diſpute its validity, having proved ſuperior to every other conſideration with the freeholders. Though the whole weight of court intereſt was thrown into the ſcale in this gentleman's favour, yet a majority of near four to one appeared againſt him upon the election, the numbers in his favour being 296, againſt 1143, that voted for Mr. Wilkes. Two days after this election, a reſolution was carried in the houſe by a majority of 221 to 139, that Mr. Luttrel ought to have been returned a knight of the ſhire for the county of Middleſex, and the deputy clerk of the crown was ordered to amend the return, by raſing out the name of Mr. Wilkes, and inſerting that of colonel Luttrel in its place. Fourteen days having been allowed for a petition againſt this deciſion, one was accordingly preſented, ſigned by ſeveral freeholders, which again brought the matter into very warm and ſerious debate (May 8), when however, upon a diviſion, the former reſolution was confirmed by a majority.

As no public meaſure, ſince the acceſſion of the preſent royal family, had excited ſo general an alarm, or cauſed ſo univerſal a diſcontent as the preſent, ſo was no other ever oppoſed with more firmneſs, or debated with greater ability, nor has any other political ſubject, perhaps at any time, been ſo ably diſcuſſed without doors, or productive of ſo many maſterly writings. Among ſo great

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a variety, we can only give a few of the arguments that were employed upon this occaſion.

It was ſaid by thoſe who oppoſed this meaſure, that the right of the electors to be repreſented by men of their own choice, was ſo eſſential for the preſervation of all their other rights, that it ought to be conſidered as one of the moſt ſacred parts of our conſtitution: That the houſe of commons was not a ſelf-conſtituted power, acting by an inherent right; but an elected body, reſtrained within the limits of a delegated authority; hence, as they were choſen, they could not diſpute the right of their conſtituents, without ſapping the foundation of their own exiſtence, and infringing the fundamental principles of the conſtitution: That the law of the land had regulated the qualification of members to ſerve in parliament, and that the freeholders of every county had an indiſputable right to return whom they thought proper, provided he was not diſqualified by any of thoſe known laws: That new reſtraints are not arbitrarily to be impoſed at pleaſure by the judgment of any court: The legiſlature alone, which is the united power of the ſtate, king, lords, and commons, can enact new reſtraints. Courts of judicature, and houſes of parliament acting as courts of judicature, have only the power of declaring them; and in the uſe of that power are bound by the law as it ſtands at the time of making that declaration. When uſage is collected from the ancient, uniform, and uninterrupted practice of parliament, we have the cuſtom of parliament; and that cuſtom is the law of parliament. Theſe reſtraints, therefore, do not ſtand ſolely on the deciſion of the houſe, or the judgment of a court having competent juriſdiction in the caſe; they are much better founded in the previous uſage, and the repeated acquieſcence of thoſe who are affected by them.

Theſe incapacities are generally known; they are enumerated by law writers of the firſt authority, who expreſly declare all other perſons eligible; theſe grave writers could not conceive, that a reſolution of the houſe of commons could from time to time either create or declare new diſqualifications. They are founded in good ſenſe; ana-

analogous to the like reſtraints adjudged in other caſes by the courts of law; and confirmed by uſage. They are not occaſional, but fixed: To rule and govern the queſtion as it ſhall ariſe; not to ſtart up on a ſudden, and ſhift from ſide to ſide, as the caprice of the day or the fluctuation of party ſhall direct. Our conſtitution does not know any court ſo ſupreme as to be above reaſon, nor ſo abſolute as to be able to make a cuſtom under pretence of declaring it. The doctrine here aſſerted is ſuch as would maintain the reſolution of the houſe to be the law of the land by virtue of its own authority only, notwithſtanding it may have uſage, reaſon, and juſtice, to contend againſt.

Inſtances were given of former reſolutions, repeatedly taken upon much deliberation, in oppoſition to good ſenſe and reaſon, common uſage, and the rights of the electors. It was ſaid that a moſt ſalutary doctrine was to be drawn from the glaring inconſiſtency of theſe reſolutions; that where power goes beyond right, it finds no reſting-place; it never knows where to ſtop; but that every part of its career ſhows the danger of paſſing the bounds preſcribed by law.

Beſides the original diſqualifications, founded on reaſon and the common law, and which are as ancient as the conſtitution, and from their nature muſt be as permanent, reſtraints have at different times been laid on by the ſtatute law, and founded therefore in the conſent of the whole community. Theſe are arbitrary, take their riſe from expediency, and are liable to be changed from time to time, by that authority which gave them being. If theſe reſtraints could have been eſtabliſhed by any authority leſs than that of an act of parliament, it is not to be imagined that the houſe of commons would have applied to the other branches of the legiſlature, in a matter which entirely concerned itſelf, and its conſtituents in their elections; though every application riſqued at leaſt the mortification of a refuſal; and that in our own times place-bills, and penſion-bills, have been tendered at the bar of the houſe of lords from year to year, though their only object was the independency of the houſe of commons;

mons: That the great patriots who tendered thoſe bills, never dreamed of the doctrine now ſet up, which tells us, that any reſtraint declared by the houſe, derives ſufficient authority from that declaration, and is good in law.

That inſtances may be brought of experiments made, how far a vote of the houſe might be effectual, where the vote has been afterwards dropped, and the effect obtained by an act of parliament: That in particular, April 2, 1677, the houſe came to a reſolution to prevent expenſes in elections after the teſte of the writ, much in the ſame words as in the act afterwards paſſed, 7 Will. III. This was made the ſtanding order of the houſe at that time. It was renewed and confirmed as ſuch, May 23, and October 21, 1678. But, to give it effect, it became neceſſary to paſs an act of parliament for that purpoſe ſix years after the Revolution.

That the houſe of commons has the right, incidental to its judicature, of declaring what incapacities are legal. But it behoves the houſe to take care, that, inſtead of exerciſing the powers which it has, it aſſumes not thoſe which it has not; that from the temperate and judicious uſe of a legal power, veſted in it for the benefit of the people, it ſwell not to the utmoſt pitch of extravagance and deſpotiſm, and make the law, under pretence of declaring it.

It was ſhown that Mr. Wilkes was not, by any conſtruction whatever, under any legal diſability: That there are an infinite number of caſes, in which the expediency of new powers in magiſtrates, courts of juſtice, and either houſe of parliament, are apparent. But theſe powers cannot be aſſumed. They muſt be derived from a ſuperior authority to an inferior; from the legiſlature to either houſe of parliament. That there is a manifeſt difference between expulſion and diſability; and that we muſt totally forget the common ſenſe and meaning of words, if we can perſuade ourſelves that expulſion, which is the leſs degree of puniſhment, involves diſability, which is the greater; and that the ſame difference between the ſenſe of theſe words in common language, has

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in a parliamentary ſenſe been conſtantly obſerved by the houſe of commons.

The cauſes of expulſion were examined; it was ſaid, that the charge againſt Mr. Wilkes was ſo accumulated, that it was difficult to ſay preciſely for what he was expelled; and that it was probable, if the queſtion had been put ſeparately for each offence contained in that charge, judgment of expulſion might not have paſſed for either: That the firſt offence contained in the general charge, was the publication of the North Briton; which had been taken up by a former parliament, and for which he had been then puniſhed by expulſion: That being puniſhed by a former parliament, he could not be brought a ſecond time to puniſhment in this parliament for the ſame offence, and that it would be an imputation on the juſtice of the houſe to ſuppoſe it. The ſecond offence, was the publication of an impious and obſcene libel, which had been taken up by the houſe of lords in a former parliament, and for which he had been convicted and puniſhed; but which was no offence againſt the houſe of commons, nor in any reſpect within its criminal juriſdiction. The third and laſt offence, was the libel contained in the introductory preface to lord Weymouth's letter: However this may be underſtood as a libel, it was ſaid not to be one of thoſe offences, which are within the criminal juriſdiction of the houſe of commons.

The precedents of diſability founded upon former reſolutions were ſtrictly examined; it was ſhown that ſome of them overthrow themſelves; that no perſon can rely on the authority of proceedings in which there appears a manifeſt abuſe, a daring illegality, and a ſlaviſh ſubmiſſion to power: Such proceedings are vicious in the whole as well as in part; and ought never to be quoted in order to be followed: That others were eſtabliſhed in the moſt violent times, when every day produced new invaſions of the conſtitution: That in the year 1642, the precedents grow upon us ſo abundantly, as to loſe all pretence to authority: That forty-nine members were expelled in two months only of that year, and moſt or all of them rendered incapable of ſitting: That the majority then were

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clearing the houſe of their obnoxious brethren; and that, to render their policy complete, and better ſecure to their order of incapacity the effect intended, new writs were ſeldom iſſued at the time of the expulſion; and frequently were not iſſued at all.

That order aroſe out of this confuſion; and that from the reſtoration to the preſent time, the ſentence or puniſhment has never gone beyond expulſion, except in a few inſtances of members diſabled from being elected at particular boroughs, on proof of a corrupt influence obtained in them.

That the power of expulſion is ſufficiently great: It may be uſed to diſgrace, to haraſs, to ruin an individual; but it carries with it no public danger. If the houſe abuſe its power in the execution of it, the electors have their remedy, by re electing the expelled member. But when incapacity of being re-elected is ſuperadded to the expulſion, it is no longer the caſe of an individual; the rights of the electors are moſt materially affected. A ſtop is put to the freedom of their election. The number of perſons open to their choice is diminiſhed: And though that diminution is in one only, that ſingle perſon may be their firſt favourite, and perhaps on that account rendered incapable. Nor does the evil ſtop here. The elected learn to taſte the ſweets of ſelecting their company, not only by removing troubleſome opponents, but barring their re-entry; and by putting a negative on the firſt intereſt in any place, make room for the ſecond. That reaſon cries aloud againſt ſuch a power in any ſet of men whatever. Happily ſhe is oppoſed by no conſiderable liſt of precedents, except in eighteen years of confuſion from 1642, to 1660. That when we ſee this power ſo ſeldom exerciſed in old times, ſo groſly abuſed when it was, and ſo entirely abandoned ſince, we cannot but conclude that uſage diſclaims the power as much as reaſon proteſts againſt it, and that it does not exiſt in our conſtitution.

Such were a few of the many arguments urged with great force and energy on this ſide of the queſtion. On the other ſide it was ſaid, that the houſe of commons had long been allowed a power of expelling their own members,

bers, and that unleſs the perſon expelled was to be excluded, the power of expulſion was wholly uſeleſs, and tended rather to expoſe the houſe of commons to contempt, than to increaſe its dignity or importance: That the right claimed by the freeholders of Middleſex was no other than the right of doing wrong, of ſending a member to parliament, who was certainly ineligible in the eye of reaſon, however he might be deemed returnable in the judgment of the law: That if the houſe was obliged by the conſtitution to receive all perſons who were returned by a majority of freeholders, and who were qualified according to law, the freeholders were equally bound not to return improper perſons: That the law could not foreſee all poſſible caſes; but that if it could have been thought, that the freeholders would have made an injudicious, improper, or dangerous uſe of this great privilege of election, the conſtitution would not have entruſted them with it: That our wiſe anceſtors by no means intended, that infidels ſhould be the guardians of our religion, beggars the protectors of our property, or convicts the framers of our laws.

That the houſe of commons is the ſole court of judicature in all caſes of election: That this authority is derived from the firſt principles of our government; viz. the neceſſary independence of the three branches of the legiſlature. Did any other body of men poſſeſs this power, members might be obtruded upon the houſe, and their reſolutions might be influenced under colour of determining elections. They have therefore an excluſive juriſdiction, and muſt be in all theſe caſes the dernier reſort of juſtice. That the houſe in the preſent caſe is the competent judge of diſability, and that their deciſion on it is final; that if in this, or any other inſtance, its deciſion were found to be attended with prejudice, the united branches of the legiſlature, in their ſupreme and collective capacity, might interpoſe, and by paſſing a law regulate ſuch deciſions for the future; but that nothing leſs could reſtrict their authority.

It is aſked, under what head of legal diſability is the preſent expulſion to be found? how are the electors to know

know it? The anſwer is eaſy: The records of parliament will inform them. How have they learnt, that judges of the ſuperior courts cannot be choſen repreſentatives of the people? How are aliens, how are clergymen diſqualified? The houſe has adjudged them incapable, as the ſeveral queſtions occurred.

It was ſaid, that a very extraordinary principle had been adopted in the courſe of this debate, as if the commons wanted to infringe upon the liberties of the people, without recollecting, that the commons and the people are virtually the ſame, and that any endeavour to make them ſeparate bodies, is no leſs dangerous, than it is preposterous. If the commons in their repreſentative capacity have privileges which render them important, that importance increaſes the conſequence of the people in their capacity of delegation; the people cannot be ſecure, unleſs the commons are ſecure; they are inſeparably connected both in intereſt and in freedom; and though upon ſome occaſions the privilege of parliament may be a ſeeming oppreſſion to individuals, the loſs of it would be attended with very fatal effects to the whole community. That if the houſe of commons had not in their collective capacity a title to peculiar privileges, no one member in his individual character could claim them with the ſmalleſt degree of propriety; yet individuals hourly claimed them with confidence, and they were admitted by the law of the land.

That nothing could be more miſrepreſented, than by ſaying that this meaſure was an injury to the freeholders of Middleſex: That on the contrary the injury was attempted on their ſide, who would obtrude an improper perſon on the houſe as a member, and obſtinately perſevere in this attempt, though all England was open to them for the choice of a proper perſon: That the ſuppoſed violation of right, in returning a perſon with a manifeſt inferiority of votes, will vaniſh, if the ſubject is properly conſidered, and a liberal conſtruction put upon the law: That thoſe who obſtinately and wilfully perſevere in voting for an unqualified perſon, are to be conſidered as not voting at all; their right of ſuffrage is ac-

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knowledged; but if the elector obſtinately refuſes to exerciſe this right according to law, he wantonly ſuſpends his own right for the time, and his act being illegal is conſequently void, and he is only in the ſituation of a man who had neglected to attend; he ſuffers no injury, he knows the conſequence of what he does, and if he chuſes to indulge his humour, it cannot even be accounted a hardſhip: That an unqualified candidate can be no candidate; and that it is ſo evident that votes given to a perſon incapable by law of receiving them muſt in their nature be null and void, that it is ſurpriſing how any man can diſpute it.

Theſe arguments were ſupported by a long train of precedents, ſhowing the uſage of the houſe in a number of caſes, under the two heads of excluſion and expulſion. The former caſes came generally within the line which has before been animadverted upon; the inferences drawn from the latter were greatly controverted, and in ſome inſtances, particularly the caſe of ſir Robert Walpole, were ſhown to overthrow the principle which they were brought to eſtabliſh.

The prorogation ſucceeded the day after the final deciſion on the Middleſex election (May 9). Great approbation was given by the ſpeech from the throne to the whole conduct of parliament; their attention to the permanent commercial intereſts of their country, as well as to the immediate benefit in point of revenue, their deliberations on Eaſt India affairs were particularly commended; and it was hoped that the hearty concurrence that appeared in all the branches of the legiſlature, of maintaining the due execution of the laws in every part of the dominions, would be productive of ſalutary effects in America. The rupture between Ruſſia and the Porte was regretted; a warm intention of endeavouring to reſtore peace between them expreſſed; and a hope that the calamities of war would not extend to any other part of Europe. Particular acknowledgments were paid, for the proviſion that was made for diſcharging the debts incurred on account of the civil government; and an aſſurance given, that the readineſs ſhown in relieving the

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difficulties, that were ſtill increaſing from the continuance of that debt, ſhould always be conſidered as an additional motive for economy in that reſpect: And it was finally and ſtrongly recommended, and great concern expreſſed for the neceſſity of it, that they would exert their utmoſt efforts in their ſeveral counties, for the maintenance of public peace and good order.

While England at this period was agitated with domeſtic diſſenſions, the empires of Ruſſia and Turkey were plunging a conſiderable part of Europe and Aſia into all the calamities of war. The former took poſſeſſion of the large frontier provinces of Moldavia and Walachia, and the rapacious empreſs did not confine her views merely to the operations of a land war: To the aſtoniſhment of Europe, a Ruſſian fleet iſſued from the bottom of the Baltic to ſhake the remoteſt parts of the Mediterranean. Thoſe of the Greek church in the dominions of the Turks had long regarded the Ruſſians as the patrons of their religion, and at this time readily embraced the firſt opportunity of exciting inſurrection againſt their Mahometan rulers. But the difficult nature of their country, the jealouſy of other European ſtates, and the unſettled ſtate of the throne in Ruſſia, form, perhaps, the principal protection of the Turks.

The unhappy country of Poland at this moment was expoſed to all the calamities that attend a weak government, and the nearneſs of too powerful neighbours. Plundered alike by pretended friends, and by acknowledged enemies, without a hope of advantage from the ſucceſs of either, her beſt blood flowed in torrents, in unavailing efforts, which were only expreſſive of deſpair. The habitual cruelty and ferocity of the contending nations added to the horrors of her ſituation, which were heightened by national animoſity, and the mortal hatred that reciprocal injuries excited between the Ruſſians and the Poles. The original misfortune of this country was the pride and tyranny of the nobles, which prevented them for ſeveral ages, while it was in their power, from eſtabliſhing a happy form of government.

In the winter of 1769, there were about 60,000 Turks poſted in different places between Choczim, Bender, and Oczacow. The greater part of the grand army was aſſembled in the neighbourhood of Adrianople; another portion was ſtationed near Varna, upon the Black Sea; and a third near the Danube. In February and March, Crim Gueray, kan of the Tartars, ſupported by 17,000 Tartars and Spahis, having broken the Ruſſian lines of communication, penetrated into the province of New Servia, which he totally ruined, having burned almoſt every village in it. It is ſaid he carried off 14,000 families captive, took 100,000 head of cattle, and the Ruſſians having united to oppoſe his return, he fought a bloody battle with them, in which neither ſide had any cauſe to triumph. While the two contending powers of Ruſſia and Turkey were attacking each other in every vulnerable part on the ſide of Europe, the Tartar Aſiatic nations, in their different intereſts, extended the rage of war into another quarter of the globe. On the 6th of May, a furious battle was fought between the Calmucks and thoſe Tartars that inhabit the banks of the Kuban, lying between the Black and the Caſpian Seas. This engagement laſted from two in the afternoon till ſun-ſet; when the Calmucks, by the help of ſome Ruſſian officers, with a detachment of dragoons and coſſacks, gained the victory, having made a great ſlaughter, and taken above 5000 horſes. No priſoners were made upon this occaſion, as the Calmucks gave no quarter.

Among the numerous cruelties committed by the Ruſſians upon the Poles, one muſt not be omitted. The Ruſſian general Droneits cauſed nine Poliſh gentlemen, whoſe hands had been cut off at the wriſts by his order, to be exhibited as a public ſpectacle in the capital city of their native province; ſome accounts add, that the deteſted author of this execrable act was the immediate operator in it.

The French at this period, though free from the calamities of war (except in the inſtance of the reduction of Corſica, which was now added to their crown), were far from being proſperous in their commerce, or fortunate

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in a ſettled ſtate of finance. Their East-India company, which had long promiſed a monopoly of trade and power in that part of the world, became now totally ruined and bankrupt. The king immediately ſuſpended their excluſive privileges, and laid the trade to the East open to all his ſubjects. This meaſure however was not attended with the expected ſucceſs. Conſiderable bankruptcies pervaded the nation, and the moſt unhappy diſputes prevailed between the colony of St. Domingo and the government, in which ſome blood was ſhed.

Germany, which has ſo frequently been the theatre of war, was at this time in the tranſitory poſſeſſion of the bleſſings of peace. The violent jealouſy and animoſity, that ſo long and ſo fatally prevailed between the courts of Vienna and Berlin, had conſiderably abated. Sileſia, which had been the great object of contention, ſeemed, through length of time, and the hopeleſſneſs of recovery, to be as much reſigned on one ſide, as it was ſecured to the other by preſcription, and the ſtrength of poſſeſſion.

A few digreſſions from the thread of Engliſh hiſtory, to inquire into the ſtate of our neighbours, it is preſumed will not be deemed entirely extraneous, when it is recollected that we have ſo frequently been materially affected by their quarrels and their fate. The Britiſh miniſtry, abſurdly ſuppoſing that Ruſſia was the only power that could at that time balance the proteſtant ſcale againſt the preponderating weight of the two great houſes of Bourbon and Auſtria, with a falſe and ruinous policy, aſſiſted the Ruſſian fleet, both at home and in the Mediterranean. By this raſh ſtep theſe incompetent ſtateſmen materially contributed to the fatal aggrandizement of a nation, whoſe increaſing proſperity and power threaten one day to renew the conqueſts of their Vandalic anceſtors, and to ingulph in the vortex of ſavage deſpotiſm the free and civilized ſtates of Europe.

The tranſactions relative to Mr. Wilkes were however at this time the principal objects that engaged the public attention, both before and after the receſs of parliament. After the expulſion of that gentleman from the houſe of commons, petitions and addreſſes were preſented to his

majesty from various parts of the kingdom. The addresses procured by the influence of administration from Cambridge, Bristol, Liverpool, Leicester, Coventry, the county of Salop, and from some other places, breathed a spirit of approbation of the measures adopted by his majesty's ministers to put a stop to the late riotous and seditious practices. On the other hand the petitions from Middlesex, London, Westminster, the county of York, and several other places, complained in strong terms of the steps taken by the ministers relative to the imprisonment, trial, and expulsion of Mr. Wilkes, and some of them expressly prayed for an immediate dissolution of parliament.

The county of Middlesex, being more immediately concerned, took the lead in these petitions. A very numerous meeting of the freeholders of the county assembled at Mile-End on the 20th of March, when it was unanimously resolved to confirm their right of election by the repeated choice of Mr. Wilkes for their representative in parliament. At this meeting the clear right of the freeholders to elect, and the duty of the sheriffs to receive their votes, and to return the candidate of their choice, was said to be established beyond a doubt. On the 24th of May the following petition was delivered from the freeholders of that county:

"Most gracious Sovereign,

"We your majesty's dutiful and loyal subjects, the freeholders of the county of Middlesex, beg leave, with all affectionate submission and humility, to throw ourselves at your royal feet, and humbly to implore your paternal attention to those grievances of which this county and the whole nation complain, and those fearful apprehensions with which the whole British empire is most justly alarmed.

"With great grief and sorrow, we have long beheld the endeavours of certain evil-minded persons, who attempt to infuse into your royal mind, notions and opinions of the most dangerous and pernicious tendency, and who promote and counsel such measures as cannot fail to destroy that harmony and confidence, which should ever

subsist

ſubſiſt between a juſt and virtuous prince and a free and loyal people.

" For this diſaffected purpoſe, they have introduced into every part of the adminiſtration of our happy, legal conſtitution, a certain unlimited and indefinite diſcretionary power; to prevent which, is the ſole aim of all our laws, and was the ſole cauſe of all thoſe diſturbances and revolutions which formerly diſtracted this unhappy country; for our anceſtors, by their own fatal experience, well knew that in a ſtate where diſcretion begins, law, liberty, and ſafety end. Under the pretence of this diſcretion, or, as it was formerly and has been lately called, law of ſtate, we have ſeen

" Engliſh ſubjects, and even a member of the Britiſh legiſlature, arreſted by virtue of a general warrant iſſued by a ſecretary of ſtate, contrary to the law of the land—

" Their houſes rifled and plundered, their papers ſeized, and uſed as evidence upon trial—

" Their bodies committed to cloſe impriſonment—

" The habeas corpus eluded—

" Trial by jury diſcountenanced, and the firſt law officer of the crown publicly inſinuating that juries are not to be truſted—

" Printers puniſhed by the miniſtry in the ſupreme court without a trial by their equals, without any trial at all

" The remedy of the law for falſe impriſonment barred and defeated—

" The plaintiff and his attorney, for their appeal to the law of the land, puniſhed by expenſes and impriſonment, and made by forced engagements to deſiſt from their legal claim—

" A writing determined to be a libel by a court where it was not cognizable in the firſt inſtance; contrary to law, becauſe all appeal is thereby cut off, and inferior courts and juries influenced by ſuch predetermination—

" A perſon condemned in the ſaid court as the author of the ſuppoſed libel unheard, without defence or trial—

" Unjuſt treatment of petitions, by ſelecting only ſuch parts as might be wreſted to criminate the petitioner, and refuſing to hear thoſe which might procure him redreſs—

" The thanks of one branch of the legiſlature propoſed by a miniſter to be given to an acknowledged offender for his offence, with the declared intention of ſcreening him from law—

" Attachments wreſted from their original intent of removing obſtructions to the proceedings of law, to puniſh by ſentence of arbitrary fine and impriſonment, without trial or appeal, ſuppoſed offences committed out of court—

" Perpetual impriſonment of an Engliſhman, without trial, conviction, or ſentence, by the ſame mode of attachment, wherein the ſame perſon is at once party, accuſer, judge, and jury—

" Inſtead of the ancient and legal civil police, the military introduced at every opportunity, unneceſſarily and unlawfully patrolling the ſtreets, to the alarm and terror of the inhabitants—

" The lives of many of your majeſty's innocent ſubjects deſtroyed by military execution—

" Such military execution ſolemnly adjudged to be legal—

" Murder abetted, encouraged, and rewarded—

" The civil magiſtracy rendered contemptible by the appointment of improper and incapable perſons—

" The civil magiſtrates tampered with by adminiſtration, and neglecting and refuſing to diſcharge their duty—

" Mobs and riots hired and raiſed by the miniſtry, in order to juſtify and recommend their own illegal proceedings, and to prejudice your majeſty's mind by falſe inſinuations againſt the loyalty of your majeſty's ſubjects—

" The freedom of election violated by corrupt and undue influence, by unpuniſhed violence and murder—

" The

" The juſt verdicts of juries, and the opinion of the judges, over-ruled by falſe repreſentations to your majeſty; and the determinations of the law ſet aſide by new, unprecedeted, and dangerous means; thereby leaving the guilty without reſtraint, and the injured without redreſs, and the lives of your majeſty's ſubjects at the mercy of every ruffian protected by adminiſtration—

" Obſolete and vexatious claims of the crown ſet on foot for partial and election purpoſes—

" Partial attacks on the liberty of the preſs: The moſt daring and pernicious libels againſt the conſtitution, and againſt the liberty of the ſubject, being allowed to paſs unnoticed, whilſt the ſlighteſt libel againſt a miniſter is puniſhed with the utmoſt rigour—

" Wicked attempts to increaſe and eſtabliſh a ſtanding army, by endeavouring to veſt in the crown an unlimited power over the militia; which, ſhould they ſucceed, muſt, ſooner or later, ſubvert the conſtitution, by augmenting the power of adminiſtration in proportion to their delinquency—

" Repeated endeavours to diminiſh the importance of members of parliament individually, in order to render them more dependant on adminiſtration collectively. Even threats having been employed by miniſters to ſuppreſs the freedom of debate; and the wrath of parliament denounced againſt meaſures authoriſed by the law of the land—

" Reſolutions of one branch of the legiſlature, ſet up as the law of the land, being a direct uſurpation of the rights of the two other branches, and therefore a manifeſt infringement of the conſtitution—

" Public money ſhamefully ſquandered and unaccounted for, and all inquiry into the cauſe of arrears in the civil liſt prevented by the miniſtry—

" Inquiry into a pay-maſter's public accounts ſtopped in the exchequer, though the ſums unaccounted for by that pay-maſter amounted to above forty millions ſterling—.

" Public loans perverted to private miniſterial purpoſes—

" Proſti-

" Proſtitution of public honours and rewards to men who can neither plead public virtue nor ſervices—

" Irreligion and immorality, ſo eminently diſcountenanced by your majeſty's royal example, encouraged by adminiſtration both by example and precept.

" The ſame diſcretion has been extended by the ſame evil counſellors to your majeſty's dominions in America, and has produced to our ſuffering fellow-ſubjects in that part of the world, grievances and apprehenſions ſimilar to thoſe of which we complain at home.

" Moſt gracious Sovereign,

" Such are the grievances and apprehenſions which have long diſcontented and diſturbed the greateſt and beſt part of your majeſty's loyal ſubjects. Unwilling, however, to interrupt your royal repoſe, though ready to lay down our lives and fortunes for your majeſty's ſervice, and for the conſtitution as by law eſtabliſhed, we have waited patiently, expecting a conſtitutional remedy by the means of our own repreſentatives: But our legal and free choice having been repeatedly rejected, and the right of election now finally taken from us by the unprecedented ſeating of a candidate who was never choſen by the county, and who, even to become a candidate, was obliged fraudulently to vacate his ſeat in parliament, under the pretence of an inſignificant place, invited thereto by the prior declaration of a miniſter, that whoever oppoſed our choice, though but with four votes, ſhould be declared member for the county; we ſee ourſelves, by this laſt act, deprived even of the franchiſes of Engliſhmen, reduced to the moſt abject ſtate of ſlavery, and left without hopes or means of redreſs but from your majeſty or God.

" Deign then, moſt gracious ſovereign, to liſten to the prayer of the moſt faithful of your majeſty's ſubjects; and to baniſh from your royal favour, truſt, and confidence, for ever, thoſe evil and pernicious counſellors, who have endeavoured to alienate the affection of your majeſty's moſt ſincere and dutiful ſubjects, and whoſe ſuggeſtions tend to deprive your people of their deareſt and moſt eſſential rights, and who have traiterouſly dared

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to depart from the ſpirit and letter of thoſe laws which have ſecured the crown of theſe realms to the houſe of Bruniſwick, in which we make our moſt earneſt prayers to God, that it may continue untarniſhed to the lateſt poſterity."

Signed by 1565 freeholders.

This petition, which is inſerted as a ſpecimen of the reſt, did not point out to his majeſty the mode of redreſs; but it is evident that the diſſolution of parliament was implied; ſince no other remedy was conſtitutionally lodged in his hands. The whole nation was convinced of this truth; but the court did not chuſe to underſtand the matter in that light; they endeavoured to turn the petition into ridicule, as ſoliciting his majeſty to overturn the conſtitution, and to encroach upon the privileges of the democratical branch of the legiſlature, whoſe reſolutions he could not annihilate, without endangering the whole ſyſtem of our liberty, and aſſuming that deſpotic authority againſt the exerciſe of which they ſo violently exclaimed. The oppoſition urged, on the contrary, with more forcible reaſoning, that the crown was in this caſe the only reſource to which the people could reſort for a remedy to the flagrant violation which the right of election had received; becauſe no relief could be expected for it from the very body who had been guilty of the violation: That, though the crown could not reſcind the act of the legiſlature, it was empowered to ſend that aſſembly back to their conſtituents, and theſe might chuſe another, better diſpoſed to redreſs the grievances complained of: That the legality of ſuch a ſtep could not be denied, ſince the houſe of commons had, by expreſs reſolutions, admitted a right in the ſubject to petition the crown for the diſſolving, as well as for the calling and ſitting of parliament.

Theſe arguments prevailed in about ſeventeen counties, and ſeveral of the moſt populous cities and boroughs. The petitions, it is ſaid, were ſigned by upwards of 60,000 of the electors. But this enthuſiaſm of the middling claſs, who are in every country the beſt ſupport of public

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and private virtue, was damped, and in many places prevented from breaking out into public reſolutions, by that influence which the miniſtry always poſſeſſes in each county over the lords lieutenant, and other officers of the crown. The miniſters, availing themſelves of this influence, procured from the quarter ſeſſions of ſeveral places addreſſes complaining violently of ſedition, licentiouſneſs, and diſaffection. A few gentlemen of Eſſex and Surry, who were almoſt all attached to the miniſtry by places, penſions, favours, or expectations, poſted to their tenants and dependants, and, not without conſiderable difficulty, obtained addreſſes to his majeſty, in which they approved highly of the adminiſtration, and expreſſed the utmoſt abhorrence rather for the meaſures, which they ſuſpected would be taken by the people, than for thoſe which they had already taken: For hitherto they had done nothing, unleſs the intemperate, though natural, rejoicings of the populace might be viewed in that light. The addreſſes obtained in this manner may be termed ſurreptitious, becauſe they were actually declared ſuch by the two counties which had called a meeting for that purpoſe. The city of Coventry, whoſe corporation had, at the inſtigation of a miniſterial lord, aſperſed a ſociety of gentlemen, that called themſelves the Supporters of the Bill of Rights, was ſo aſhamed of their addreſs, that a petition was reſolved on in order to wipe off the diſgrace.

At this time, when petitions and addreſſes crowded about the throne with the profeſſed view of counteracting each other, thoſe on the popular ſide were certainly entitled to the greateſt weight, becauſe they breathed the ſentiments of the greateſt number of the people; becauſe it may be ſaid that, whenever a hundred could be inveigled to ſign an addreſs, thouſands crowded voluntarily to ſet their names to a petition.

Though the miniſters had ſeveral proofs before them of the backwardneſs of the middle order of the people to congratulate his majeſty on the wiſdom of his government, they did not relinquiſh their project. As the merchants of London had addreſſed the throne on the peace, it was apprehended that the ſame engine might again be rendered

dered useful. Accordingly a few stock-jobbers, Jews, and others, who enjoyed, or hoped to enjoy, lucrative contracts from government, were set in motion. They advertised a meeting of the merchants and other principal inhabitants at the King's Arms tavern in Cornhill. On the day appointed a small number assembled, and found the ministerial leaders would not allow the address, which they had prepared to be read, nor its contents to be debated. After a very riotous and disorderly meeting, which was neither numerous nor respectable, the government party went off with an address of their own forming, and lodged it at the merchant seamen's office over the Royal Exchange, in order that it might be signed by all those, whom repeated advertisements, private letters, and other arts, could influence. By these means a considerable roll of obscure names was procured, and they proceeded from the Exchange on the 22d of March, in order to present it to his majesty. In Cheapside they were universally accosted with hisses, groans, and vollies of dirt; and in Fleet-street, the multitude became outrageous. Having broken the windows of the coaches with stones and glass bottles, they despatched a party to shut the gates of Temple-bar; a stratagem, which threatened a total stop to the cavalcade. The city marshal and his attendants were greatly abused in attempting to relieve them in this extremity; but they were at length repulsed, and the people in the carriages were attacked. Some, covered with dirt, took shelter in the adjoining houses; others drove through obscure streets and lanes; but the greater part returned home. Those who proceeded to St. James's were pursued by the rioters even within the palace gates. Lord Talbot on this occasion behaved with great intrepidity; and, though he had his staff of office broken in his hand, he secured two of the most active of the mob, when deserted by his own servants. His example animated the military, who, without employing either guns or bayonets to destroy the deluded populace, secured fifteen of them, to be dealt with according to law.

Mr. Boehm, a Dutchman, to whom the addreſs was entruſted, was ſo ſeverely treated, that he was obliged to quit his coach, and take ſhelter in Nando's coffee-houſe. His coach was rifled, but the addreſs eſcaped; and it was with ſome difficulty recovered by the addreſſers; which occaſioned a conſiderable delay at St. James's, where thoſe who had arrived in ſafety remained in the greateſt anxiety. During this interval, which laſted ſeveral hours, his majeſty waited very graciouſly.

The few coaches which reached Exeter Change, were there joined by a hearſe drawn by a black and a white horſe, and driven by a man, who was clothed with a rough coat reſembling a ſkin; his head being covered with a large cap, black on one ſide, and white on the other. His whole figure was very groteſque, and a proper emblem of the motley cavalcade which he preceded. On one ſide of the hearſe was painted on canvaſs a repreſentation of the miniſterial hirelings murdering Clarke at Brentford; and on the other appeared a lively picture of the ſoldiers firing on young Allen in the cow-houſe. The hearſe made an inſulting ſtop at Carleton-houſe, at the duke of Cumberland's, at lord Weymouth's, and at the palace, where the populace attempted in vain to introduce it as a partial repreſentation of their grievances. The perſons who were taken into cuſtody by the military and lord Talbot were committed and arraigned, but, no proof of guilt appearing againſt them to the jury at their trial, they were acquitted.

Notwithſtanding the ill ſucceſs of this addreſs, the miniſters carried on their ſolicitations for more even to Scotland, where it muſt be confeſſed they met with ſucceſs. Almoſt every fiſhing-town upon the coaſt ſent up to the throne a loyal ſkin of parchment. One member preſented no leſs than five addreſſes from the boroughs which he repreſented. Other places yielded to the falſe repreſentations of their members, in whom they repoſed an unreſerved confidence, though they were in general placemen and penſioners.

In the month of Auguſt this year a body of weavers called Cutters, in Spitalfields, created conſiderable riots

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and disturbances in that neighbourhood. They were handkerchief weavers, who conceiving themselves oppressed in their prices, entered into a subscription of sixpence on every loom, to support their cause against the masters, one of whom, who paid satisfactory prices, insisted notwithstanding that his men should not belong to the subscription society, and armed his people to defend his looms against the body. The club, determined to support the plan they had instituted, assembled in order to compel these men to pay the subscription; and a bloody affray ensued, in which many were wounded. They cut the work out of upwards of fifty looms belonging to the above-mentioned master weaver; though an act of parliament had passed a little time before, which inflicted the punishment of death upon any rioters who should commit such offence. A few days afterwards, they assembled again, and cut the work out of above a hundred looms belonging to other persons.

In September near fifty of this body assembled, all masked, at a person's house in Hoxton-square, where they insisted upon admittance; and being refused, one of them fired off a blunderbuss, and some presented loaded guns, declaring that they wanted to hurt no person, but him they sought for, who carried on their branch of business, and was not of their combination. They then broke open the door, and entered the house with dark-lanterns, pistols, and hangers in their hands; but not finding the person they wanted, they filed off again towards Spitalfields. All the avenues to the Square were guarded by some of their party, with fire-arms. In several other riotous assemblies, they committed great enormities; at one time, they killed one of a party of the military, who came to suppress them. At length several were apprehended, and tried for the offence, among whom were John Doyle and John Valline, who were condemned and executed. A correspondence of a curious nature passed between the lord chancellor, lord Weymouth, and the sheriffs of London and Middlesex, relative to the execution of the sentence passed upon these men. According to the sentence which the recorder of London passed

upon the criminals, on the 21ſt day of October, at the Old Bailey, they were to be taken from thence to the *uſual place* of execution. On the 9th of November, the ſheriffs received a warrant from the recorder, ſignifying his majeſty's pleaſure that the ſaid ſentence ſhould be executed in the moſt convenient place near Bethnal-green church, in the county of Middleſex. The ſheriffs, ſurpriſed at this *variation* from the ſentence pronounced in court, laid the caſe before Mr. Serjeant Glynn for his opinion, which was, that there are certain caſes in which the ſheriffs muſt diſobey the commands of the crown, as when it ſhould order the execution to be performed privately, in a room, or in a church, &c.; but that in the preſent caſe he adviſed the ſheriffs to repreſent to his majeſty the doubt conceived by them.

They therefore ſignified to lord Weymouth their intention of waiting upon his majeſty, with a paper, explaining the doubts they entertained reſpecting the order they had received for executing the ſaid ſentence. His lordſhip informed them, that their intended mode of application to the king was irregular, but that he was ready to lay before his majeſty in a proper manner their doubts with regard to the diſcharge of their duty upon this occaſion. Upon the caſe being laid before his majeſty, he ordered a reſpite to the priſoners, that the opinion of the judges might be taken upon it, which was ſoon after given to this effect: "That the time and place of execution are in law *no part* of the judgment; and that the recorder's warrant was a lawful authority to the ſheriffs as to the time and place of execution." When this opinion was communicated to the ſheriffs, they ſaid that their doubts were *over-ruled*, without being *ſatisfied*. The two criminals in queſtion were, therefore, executed at Bethnal Green on the 8th of December following, without the aſſiſtance of the military; the ſheriffs being determined to ſupport the authority of the civil power at the hazard of their lives, becauſe they apprehended that another party were as eager to deſtroy it.

A melancholy affair took place this year in Scotland, which excited public attention on account of the legal

decision with which it was concluded. The earl of Eglintoun was shot by Mungo Campbell, an officer of the excise, for which the latter was tried, and condemned to die. The account of Campbell, with respect to the fact for which he was tried, and the law by which he was convicted, are in substance as follow: Mungo Campbell was born of a good family at Air in that kingdom, in the year 1712; his father dying without leaving sufficient either to go into trade, or to support him in a course of study for any of the learned professions, he enlisted in the Scots Greys, and served in this corps for twelve years, and was among other engagements at the battle of Dettingen. In 1745, having obtained his discharge, he returned into Scotland, where he found his countrymen in arms against each other; he accompanied his chief and distant relation lord Loudoun, in the highlands; and after their return, his lordship procured him a commission as an officer of the excise, and he was finally stationed at Saltcoats. Being known and esteemed by the neighbouring gentry, he had licences from lord Loudoun and many others, to hunt upon their grounds, with authority to preserve the game, and prosecute poachers; but he had no such licence from lord Eglintoun. It happened, however, that Campbell, being out in search of smuggled goods, with some others, discovered a hare which started out of a bush at the side of the highway on lord Eglintoun's grounds, which, he said, partly from surprise, and possibly from the instigation of those with him, he shot, having before shot two sea-gulls in the course of their walk. Intelligence of this circumstance being conveyed to lord Eglintoun, Campbell was desired to come before his lordship, who used many harsh expressions upon the occasion; but Campbell asking his pardon, and promising never more to offend, they parted, as he said, without any demand being made of his gun, lord Eglintoun knowing that he was no poacher.

On the morning of the 24th of October, Campbell, in company with one Brown, a tide-waiter, set out from Saltcoats, principally with a view to search for smuggled goods, but at the same time to amuse themselves by shoot-

ing. They paſſed through his lordſhip's grounds in their way, and the ſervants, ſeeing them paſs, informed lord Eglintoun, who happened unfortunately to be going near the ſpot in his coach, attended by ſeveral of his ſervants on horſeback, and a Mr. Wilſon in the coach. Upon this intelligence, his lordſhip mounted a horſe led by one of his men, and when he came within about ten yards of the ſportſmen, he ſaid, "Mr. Campbell, I did not expect to have found you ſo ſoon hunting upon my grounds, after your promiſe when you ſhot the hare;" at the ſame time demanding his gun. Campbell refuſed to deliver it, and, upon his lordſhip coming nearer, told him, "he would ſhoot him if he did not keep off." Lord Eglintoun then ordered one of his ſervants to bring him a gun which was in the coach: In the interim, Campbell kept walking backwards, with the gun pointed towards his lordſhip, proteſting, that he was willing to aſk his pardon, but would not deliver his gun to any man, as he had a right to carry one. In this retrograde motion, he ſtruck his foot againſt a ſtone, and fell backwards, and by the force of the fall, the gun flew up, and, paſſing the perpendicular, pointed backwards; upon which, Campbell raiſed himſelf upon his elbow, and (according to the evidence of the ſervants) pointed the gun at lord Eglintoun, and fired it into the left ſide of his body, not being more than three yards diſtant. Brown, the tide-waiter, who was with Campbell, ran away, almoſt as ſoon as his lordſhip came up, ſo that the priſoner could not benefit by his evidence. Lord Eglintouns was conveyed home, and died the ſame evening.

Upon the trial, it was urged in favour of the priſoner, firſt, "That the gun went off by accident:" Secondly, "That, ſuppoſing it to have been fired with an intention to kill, the act was *juſtifiable*, being done upon juſt provocation, and in defence of property and life:" And thirdly, "Suppoſing the fact to be not juſtifiable, it could not be murder, the homicide being ſudden, and during an affray, and not from malice prepenſe." Notwithſtanding theſe arguments, the priſoner was found guilty

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and condemned; but anticipated the ſentence of the law by an act of ſuicide.

In this year the credit of the Eaſt India company received a ſhock from the unfortunate war which commenced between them and Hyder Ally in the Carnatic, of which an account will be given when the foreign tranſactions of the company are next treated of. India ſtock fell above ſixty per cent in a few days. It was in vain that the directors produced their deſpatches from India, and ſhowed that the war could not be attended with any real danger, and that the company had never been in a more flouriſhing ſtate; an epidemical rumour had ſpread abroad, and the diſorder had taken its effect, and muſt ſpread its force before it could be removed.

The company in the mean time exerted themſelves to put a ſtop to the abuſes and miſmanagements which had ſo much diſgraced their government in India, and which had been ſo pernicious to its intereſts both there and at home. For this purpoſe, on the 14th of June, they appointed Mr. Vanſittart, Mr. Scrafton, and colonel Ford, who had all ſerved them with reputation, to go to India, inveſted with extraordinary powers, under the character of ſupervifors, to examine into and rectify the concerns of every department, and with a full power of control over all other ſervants in India. Though the neceſſity for this meaſure was generally allowed, yet the mode of it, and the degree of power with which the ſupervifors were to be entruſted, occaſioned great debate, and a continual ſucceſſion of general courts to be held. Thoſe ſtock-holders and directors who had friends and relations in places of great emolument in India, were, of courſe, averſe to the ſending out of ſupevifors. Thoſe however who oppoſed the meaſure, were influenced by different motives; ſome objected to the gentlemen appointed; others, from principle, did not think it ſafe to truſt any man, or body of men, with too much power; by this mean, every reſolution taken relative to this ſtep, was firſt put to the ballot.

When, at length, the commiſſion for this purpoſe had paſſed, ſome unexpected objections were thrown in by the mi-

miniſtry, which occaſioned a new delay. They propoſed that the company would inveſt a ſervant of the crown with a principal ſhare in the direction of their affairs in India.

The directors, having conſidered that a naval force would give great effect to their negotiations with the Indian princes, had, during the courſe of theſe debates, applied to government for two ſhips of the line, and two frigates, to be ſent upon that ſervice. As this application was from the directors alone, no anſwer was given to it, though it might be preſumed that government would not withhold their protection from the company, who paid them ſuch a conſiderable revenue. It was, therefore, thought proper to give this application additional weight, that it ſhould have the ſanction of a general court, and ſtand as the act of the whole company. On the 27th of July, a motion to that purpoſe was accordingly made, and unanimouſly agreed to; and another court appointed to be held on the 11th of Auguſt, to receive the anſwer of government, and to determine finally upon meaſures relative to the departure of the ſupervifors. Lord Weymouth, one of the ſecretaries of ſtate, ſent a letter, which was read at this laſt court, in which were theſe words: "That the commiſſion appointing the preſent ſupervifors to India, had been taken into conſideration by his majeſty's ſervants, and that it was their opinion that in ſome reſpects it was illegal." He therefore begged of the directors, that they would reconſider the commiſſion in general; and that the particular article of granting unlimited powers to a naval officer might be laid before the proprietors at large.

In conſequence of this letter, a long train of correſpondence between the miniſtry and the directors, upon a ſubject with which they were before wholly unacquainted, was now laid before the proprietors. This correſpondence was a kind of negotiation between the directors and the miniſtry, for adjuſting the power which the king's naval commander ought to have, in conjunction with the governor and council of Bengal. This buſineſs being

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laid before the proprietors, the court broke up, without deciding upon any thing but the appointing another general court to be held on the 15th of Auguſt.

At this court another letter was read from the ſame miniſter, acquainting them, that, as government, at the requeſt of the company, in the eleventh article of the laſt definitive treaty of peace with France, made conditions with ſeveral princes in India, it highly reſpected their honour, that an officer of theirs ſhould be appointed as a principal agent in all matters offenſive and defenſive.

The deſigns of the miniſtry were now too obvious to be miſtaken, and too alarming not to be oppoſed with vigour. The directors obſerved to the court, that this requiſition was a matter which affected the conſequence and ſafety of the company in the higheſt degree; and that it, therefore, required the moſt ſerious deliberation, and the cooleſt diſcuſſion. In conſequence of theſe obſervations, and the nature of the buſineſs, the conſideration of this matter was deferred till the 30th of Auguſt.

At this laſt court held on the ſubject, great debates aroſe upon the queſtion of ſpecifying the authority with which it might be proper to inveſt the king's officer, in directing the affairs of the company in India. The matter was at length reſted upon the following queſtion, which was to be decided by ballot: "That this court will give the officer of the crown, commanding ſhips of the line, a ſhare in the deliberations and reſolutions of the company, merely with regard to the two objects of making peace and declaring war, when his majeſty's forces are employed." This motion was, however, rejected by a great majority.

The commiſſion for the commander in chief was made out in the interim; but, as the propoſed requiſition for extraordinary powers had not been complied with, his operations were limited to the Gulf of Perſia only. This compromiſe was agreed upon, from the conſideration that the affairs of the company had for ſome time been embroiled upon that coaſt, through the lawleſs conduct of

the neighbouring chiefs, who, taking advantage of the troubles that prevailed in Perſia to become independent, had thrown off at the ſame time all regard to order and juſtice. Theſe powers of the naval commander were not to extend beyond the Gulf of Perſia; and thoſe of the ſupervifors were ſettled at the ſame time.

CHAP. V.

Mr. Woodfall tried and acquitted for publiſhing a Letter of Junius—Parliamentary proceedings; ſeveral motions by lord Chatham on the proceedings of the Middleſex election—Mr. Grenville's election bill—State of the civil liſt inquired into—Lord Chatham propoſes a bill for reverſing the incapacitation of Mr. Wilkes—Moves for the diſſolution of parliament—Lord North's ſentiments reſpecting America—A motion paſſed reſpecting the interference of the lords in impeaching a judgment of the commons—Proceedings of the Iriſh parliament reſpecting Poynings' law—The city of London preſents a third addreſs to the king—Mr. Beckford's anſwer to him—State of Europe at this time—Progreſs of the war between the Ruſſians and the Turks—Battle on the river Larga—State of France—The king puts a ſtop to the proceedings againſt the duke d'Aiguillon—The king takes violent meaſures with his parliament—Proteſts that he is accountable to God alone.

[A. D. 1769, 1770.]

THE Britiſh nation, during the ſummer of 1769, was in the greateſt ferment. The voice of the people loudly invoked his majeſty to diſſolve a parliament, which had unjuſtly expelled, and finally incapacitated Mr. Wilkes from ſitting in the houſe of commons, after he had been fairly elected by a great majority of the freeholders of the county of Middleſex. Many friends of adminiſtration, alſo, perceiving that (whether from the nature

nature of the act, or the dexterity of misrepresentation) the power of declaring incapacities in the lower house was become extremely and universally unpopular, now began to alter their sentiments, and thought it would be wise to give way to the general disposition, and that it would be no disgrace to rescind, in one session, the hasty resolution of another; that they would, by such a concession, immediately remove that fatal source of discontent the Middlesex election, and prevent its being a matter of serious alarm to the moderate, or an instrument in the hands of the turbulent and ambitious for bringing themselves into consequence. Several of the court party, at the same time, were clamorous for measures of severity. "If (said they) the subjects were permitted to proceed in this mode of remonstrating to the crown in their natural capacity, not only without, but against their representatives, a majority in parliament would become ineffectual to the support of government; and no minister could be safe, except in courting the popular opinion, to the manifest detriment of the sovereign." The late petitions were considered, by this class of men, as acts little less than treasonable.

From these party feuds originated innumerable political publications, in which the conduct of the present administration was arraigned in the severest terms; and, among these, the Letters of *Junius* more particularly attracted the attention of the nation. They were written in a style so masterly, as to be generally considered, in point of composition, equal to any literary production in the English language; but they consisted of little more than splendid declamation and poignant invective, and discovered a cool and deliberate malignity of disposition, which, now that the passions and follies of the day have subsided, and given place to other passions and other follies, must excite disgust at least proportionate to our admiration. This writer did not hesitate, in numerous instances, to insinuate the most criminal charges against persons the most distinguished in life, and that without supporting them, though frequently called upon, by even the shadow of a proof. The princess

princeſs dowager of Wales, the duke of Bedford, the duke of Grafton, and ſir William Draper, were the principal ſubjects of his calumny. The moſt memorable of theſe celebrated letters is that addreſſed to the king, in which the writer, with equal elegance and energy of diction, exhibits to the view of his ſovereign a moſt ſtriking picture of his adminiſtration. "Whichever way (ſays he) your majeſty turns your eyes, you ſee nothing but perplexity and diſtreſs. You have ſtill an honourable part to act: Diſcard thoſe little perſonal reſentments, which have too long directed your public conduct; come forward to your people; lay aſide the wretched formalities of a king; tell them you have been fatally deceived. This is not a time to trifle with your fortune; the people of England are loyal to the houſe of Hanover, not from a vain preference of one family to another, but from a conviction that the eſtabliſhment of that family was neceſſary to the ſupport of their civil and religious liberties. This, ſir, is a principle of allegiance, equally ſolid and rational, fit for Engliſhmen to adopt, and well worthy of your majeſty's encouragement. We cannot long be deluded by nominal diſtinctions; the name of *Stuart* of itſelf is only contemptible; armed with the ſovereign authority, their principles are formidable: The prince, who imitates their conduct, ſhould be warned by their example, and, while he plumes himſelf upon the ſecurity of his title to the throne, ſhould remember, that, as it was acquired by one revolution, it may be loſt by another."

Upon the publication of this letter, the attorney-general, according to orders from the miniſtry, filed a bill *ex officio*, in the court of king's bench, againſt Mr. Woodfall, the publiſher, for uttering a falſe and ſeditious libel. Lord Mansfield, in ſumming up the evidence, informed the jury, that the *fact of publication* was all that came under their cognizance; the queſtion of libel or no libel being a mere queſtion of law, to be decided by the court. But the jury (knowing their duty, and conſcious of their power) were leſs obedient to his lordſhip's directions than he was to thoſe of his ſuperiors; and, after

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a long deliberation, returned their verdict, "Guilty of printing and publishing *only*." Upon which Woodfall was discharged, amidst the universal and unbounded acclamations of the people.

The British parliament met on the 9th of January 1770. The speech from the throne began by noticing a distemper which had broken out among the horned cattle, touched upon some topics concerning foreign affairs, and the distractions in America; and concluded with the usual recommendation to unanimity. No notice whatever was taken of the great domestic movements which had brought on or followed the petitions. The opposition expressed much surprise that a partial *distemper among the horned cattle* should be a subject of royal attention, while the affairs which agitated the public mind should remain unnoticed.

Before we enter upon the proceedings of this session, it will be necessary to remark some changes in administration which took place a few days after its commencement. Lord Camden, having disagreed with ministers on the Middlesex election, and having actually divided with lord Chatham, was immediately compelled to relinquish the great seal, and it was hastily accepted by Mr. Yorke, then attorney-general, at the earnest solicitation of the king. By this fatal step this unfortunate gentleman incurred not only the displeasure of his former friends, but even of his brother, who refused him admission to his house; and stung with regret, and humbled by the mortification, he, in a few hours afterwards, put a period to his existence. The great seal was, after this catastrophe, put into commission.

The removal of lord Camden was followed by the resignation of the duke of Beaufort, as master of horse to the queen; the duke of Manchester and the earl of Coventry, as lords of the bedchamber. The earl of Huntingdon resigned his place as groom of the stole, and was succeeded by the earl of Bristol, who resigned the privy-seal to the earl of Halifax. Mr. Dunning, the solicitor-general, also resigned that employment. Sir Fletcher Norton was made speaker of the house of commons, in the room of sir John Cust, who resigned; and the

marquis of Granby resigned all his places, except the regiment of blues.

On the 28th of January, to the astonishment of the nation, the duke of Grafton unexpectedly resigned his office as first commissioner of the treasury, and lord North, who had now been two years in the situation of chancellor of the exchequer, was nominated his successor. Thus, at length, was formed that infamous administration, which exercised the powers of government for twelve successive years, and, by their ignorance or their crimes, severed America from the British empire.

As the principal debates of this session of parliament were carried on with great force and to a great extent in the house of lords, in which the celebrated lord Chatham took a very conspicuous part, we shall for the present confine ourselves principally to them.

On the 9th of January, the first day of the session, the duke of Ancaster made the motion for an address to his majesty, and was seconded by lord Dunmore.

The earl of Chatham, after some compliments to the duke of Ancaster, took notice how happy it would have made him to have been able to concur with the noble duke in every part of an address, which was meant as a mark of respect and duty to the crown, and professed personal obligations to the king, and veneration for him; that, though he might differ from the noble duke in form of expressing his duty to the crown, he hoped he should give his majesty a more substantial proof of his attachment than if he agreed to the motion: That, at his time of life, and loaded as he was with infirmities, he might, perhaps, have stood excused if he had continued in his retirement, and never taken part again in public affairs. But that the alarming state of the nation called upon him, forced him to come forward once more, and to execute that duty which he owed to God, to his sovereign, and to his country; that he was determined to perform it, even at the hazard of his life: That there never was a period which called more forcibly than the present, for the serious attention and consideration of that house; that, as they were the grand hereditary

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counſellors of the crown, it was particularly their duty, at a criſis of ſuch importance and danger, to lay before their ſovereign the true ſtate and condition of his ſubjects, the diſcontent which univerſally prevailed amongſt them, the diſtreſſes under which they laboured, the injuries they complained of, and the true cauſes of this unhappy ſtate of affairs.

That he had heard with great concern of the diſtemper among the cattle, and was very ready to give his approbation to thoſe prudent meaſures which the council had taken for putting a ſtop to ſo dreadful a calamity. That he was ſatisfied there was a power in ſome degree arbitrary, with which the conſtitution truſted the crown, to be made uſe of under correction of the legiſlature, and at the hazard of the miniſter, upon any ſudden emergency, or unforeſeen calamity, which might threaten the welfare of the people, or the ſafety of the ſtate. That on this principle he had himſelf adviſed a meaſure, which he knew was not ſtrictly legal; but he had recommended it as a meaſure of neceſſity, to ſave a ſtarving people from famine, and had ſubmitted to the judgment of his country.

That he was extremely glad to hear what he owned he did not believe when he came into the houſe, that the king had reaſon to expect that his endeavours to ſecure the peace of this country would be ſucceſsful; for that certainly a peace was never ſo neceſſary, as at a time when we were torn to pieces by diviſions and diſtractions in every part of his majeſty's dominions. That he had always conſidered the late peace, however neceſſary in the then exhauſted condition of this country, as by no means equal in point of advantage to what we had a right to expect from the ſucceſſes of the war, and from the ſtill more exhauſted condition of our enemies. That having deſerted our allies, we were left without alliances, and, during a peace of ſeven years, had been every moment on the verge of a war; that, on the contrary, France had attentively cultivated her allies, particularly Spain, by every mark of cordiality and reſpect. That if a war was unavoidable, we muſt enter into it without a ſingle ally,

while the whole houſe of Bourbon was united within itſelf, and ſupported by the cloſeſt connexions with the principal powers in Europe. That the ſituation of our foreign affairs was undoubtedly a matter of moment, and highly worthy their lordſhips' conſideration; but he declared with grief there were other matters ſtill more important, and more urgently demanding their attention;—he meant the diſtractions and diviſions which prevailed in every part of the empire. He lamented the unhappy meaſure which had divided the colonies from the mother-country, and which he feared had drawn them into exceſſes which he could not juſtify. He owned his natural partiality to America, and was inclined to make allowance even for thoſe exceſſes. That they ought to be treated with tenderneſs; for, in his ſenſe, they were ebullitions of liberty, which broke out upon the ſkin, and were a ſign, if not of perfect health, at leaſt of a vigorous conſtitution, and muſt not be driven in too ſuddenly, leſt they ſhould ſtrike to the heart. He profeſſed himſelf entirely ignorant of the preſent ſtate of America, therefore ſhould be cautious of giving any opinion of the meaſures fit to be purſued with reſpect to that country. That it was a maxim he had obſerved through life, when he had loſt his way, to ſtop ſhort, leſt, by proceeding without knowledge, and advancing (as he feared a noble duke had done) from one falſe ſtep to another, he ſhould wind himſelf into an inextricable labyrinth, and never be able to recover the right road again. That as the houſe had yet no materials before them, by which they might judge of the proceedings of the colonies, he ſtrongly objected to their paſſing that heavy cenſure upon them, which was conveyed in the word *unwarrantable*, contained in the propoſed addreſs. That it was paſſing a ſentence, without hearing the cauſe, or being acquainted with facts, and might expoſe the proceedings of the houſe to be received abroad with indifference or diſreſpect. That if *unwarrantable* meant any thing, it muſt mean illegal; and how could their lordſhips decide, that proceedings, which had not been ſtated to them in any ſhape, were contrary to law? That what he had heard of the combinations in

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America, and of their ſucceſs in ſupplying themſelves with goods of their own manufacture, had indeed alarmed him much for the commercial intereſts of the mother-country; but he could not conceive in what ſenſe they could be called illegal, much leſs how a declaration of that houſe could remove the evil. That they were *dangerous* indeed, and he greatly wiſhed to have that word ſubſtituted for *unwarrantable*. That we muſt look for other remedies. That the diſcontent of two millions of people deſerved conſideration; and the foundation of it ought to be removed. That this was the true way of putting a ſtop to combinations and manufactures in that country; but that he reſerved himſelf to give his opinion more particularly upon this ſubject, when authentic information of the ſtate of America ſhould be laid before the houſe; declaring only, for the preſent, that we ſhould be cautious how we invaded the liberties of any part of our fellow-ſubjects, however remote in ſituation, or unable to make reſiſtance. That liberty was a plant that deſerved to be cheriſhed; that he loved the tree, and wiſhed well to every branch of it. That, like the vine in the Scripture, it had ſpread from eaſt to weſt, had embraced whole nations with its branches, and ſheltered them under its leaves. That the Americans had purchaſed their liberty at a dear rate, ſince they had quitted their native country, and gone in ſearch of freedom to a deſert.

That the parts of the addreſs which he had already touched upon, however important in themſelves, bore no compariſon with that which ſtill remained. That indeed there never was a time, at which the unanimity recommended to them by the king was more neceſſary than at preſent; but he differed very much from the noble duke, with reſpect to the propriety or utility of thoſe general aſſurances contained in the latter part of the addreſs. That the moſt perfect harmony in that houſe would have but little effect towards quieting the minds of the people, and removing their diſcontent. That it was the duty of that houſe to inquire into the cauſes of the notorious diſſatisfaction expreſſed by the whole Engliſh nation, to ſtate thoſe

cauſes to their ſovereign, and then to give him their beſt advice in what matter he ought to act. That the privileges of the houſe of peers, however tranſcendant, however appropriated to them, ſtood in fact upon the broad bottom of the people. They were no longer in the condition of the barons, their anceſtors, who had ſeparate intereſts and ſeparate ſtrength to ſupport them. The rights of the greateſt and of the meaneſt ſubjects now ſtood upon the ſame foundation; the ſecurity of law, common to all. It was therefore their higheſt intereſt, as well as their duty, to watch over and guard the people; for when the people had loſt their rights, thoſe of the peerage would ſoon become inſignificant. To argue from experience, he begged leave to refer their lordſhips to a moſt important paſſage in hiſtory, deſcribed by a man of great abilities, Dr. Robertſon. This writer, in his life of Charles the Fifth (a great, ambitious, wicked man), informs us, that the peers of Caſtile were ſo far cajoled and ſeduced by him, as to join him in overturning that part of the Cortez which repreſented the people. They were weak enough to adopt, and baſe enough to be flattered with an expectation, that, by aſſiſting their maſter in this iniquitous purpoſe, they ſhould increaſe their own ſtrength and importance. What was the conſequence? They exchanged the conſtitutional authority of peers, for the titular vanity of grandees. They were no longer a part of a parliament, for *that* they had deſtroyed; and when they pretended to have an opinion as grandees, he told them he did not underſtand it; and naturally enough, when they had ſurrendered their authority, treated their advice with contempt. The conſequences did not ſtop here: He made uſe of the people whom he had enſlaved, to enſlave others, and employed the ſtrength of the Caſtilians to deſtroy the rights of their free neighbours of Arragon.

"My lords (continued lord Chatham), let this example be a leſſon to us all. Let us be cautious how we admit an idea, that *our* rights ſtand on a footing different from thoſe of the people. Let us be cautious how we invade the liberties of our fellow-ſubjects, however mean, how-

however remote; for be aſſured, my lords, that in whatever part of the empire you ſuffer ſlavery to be eſtabliſhed, whether it be in America or in Ireland, or here at home, you will find it a diſeaſe which ſpreads by contact, and ſoon reaches from the extremities to the heart. The man, who has loſt his own freedom, becomes from that moment an inſtrument in the hands of an ambitious prince, to deſtroy the freedom of others. Theſe reflections, my lords, are but too applicable to our preſent ſituation. The liberty of the ſubject is invaded, not only in the provinces, but here at home. The Engliſh people are loud in their complaints; they proclaim with one voice the injuries they have received; they demand redreſs, and depend upon it, my lords, that one way or other, they *will have* redreſs. They will never return to a ſtate of tranquillity until they *are* redreſſed; *nor ought they*: For in my judgment, my lords, and I ſpeak it boldly, it were better for them to periſh in a glorious contention for their rights, than to purchaſe a ſlaviſh tranquillity at the expenſe of a ſingle iota of the conſtitution. Let me entreat your lordſhips, then, in the name of all the duties you owe to your ſovereign, to your country, and to yourſelves, to perform that office to which you are called by the conſtitution; by informing his majeſty truly of the condition of his ſubjects, and of the real cauſe of their diſſatisfaction. I have conſidered the matter with the moſt ſerious attention: And, as I have not in my own breaſt the ſmalleſt doubt that the preſent univerſal diſcontent of the nation ariſes from the proceedings of the houſe of commons upon the expulſion of Mr. Wilkes, I think that we ought, in our addreſs, to ſtate that matter to the king. I have drawn up an amendment to the addreſs, which I beg leave to ſubmit to the conſideration of the houſe:

" ' And for theſe great and eſſential purpoſes, we will, with all convenient ſpeed, take into our moſt ſerious conſideration, the cauſes of the diſcontents which prevail in ſo many parts of your majeſty's dominions, and particularly the late proceedings of the houſe of commons touching the incapacity of John Wilkes, eſq. (expelled by that houſe), to be elected a member to ſerve in this preſent

preſent parliament, thereby refuſing (by a reſolution of one branch of the legiſlature only) to the ſubject his common right, and depriving the electors of Middleſex of their free choice of a repreſentative.'

"The cautious and guarded terms in which this amendment is drawn up, will, I hope, reconcile every noble lord who hears me to my opinion; and, as I think no man can diſpute the truth of the facts, ſo I am perſuaded no man can diſpute the propriety and neceſſity of laying thoſe facts before his majeſty."

Lord Mansfield began with affirming, that he had never delivered any opinion upon the legality of the proceedings of the houſe of commons on the Middleſex election, nor ſhould he now, notwithſtanding any thing that might be expected from him. That he had locked it up in his own breaſt, and it ſhould die with him; that he wiſhed to avoid ſpeaking on the ſubject; but that the motion made by the noble lord, was of a nature too extraordinary and too alarming to ſuffer him to be ſilent. He acknowledged the unhappy diſtracted ſtate of the nation; but he was happy enough to affirm, with a ſafe conſcience, that he had noways contributed to it. That, in his own opinion, declarations of the law made by either houſe of parliament were always attended with bad effects; he had conſtantly oppoſed them whenever he had an opportunity, and in his judicial capacity thought himſelf bound never to pay the leaſt regard to them. That although thoroughly convinced of the illegality of general warrants, which, indeed, naming no perſons, were no warrants at all, he was ſorry to ſee the houſe of commons by their vote declare them to be illegal. That it looked like a legiſlative act, which yet had no force nor effect as a law: For ſuppoſing the houſe had declared them to be legal, the courts in Weſtminſter would nevertheleſs have been bound to declare the contrary; and conſequently to throw a diſreſpect upon the vote of the houſe. But he made a wide diſtinction between the general declarations of law, and the particular deciſion which might be made by either houſe, in their judicial capacity, upon a caſe coming regularly before them, and properly the ſubject

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of their jurisdiction. That here they did not act as legislators, pronouncing abstractly and generally what the law was, and for the direction of others; but as judges, drawing the law from the several sources from which it ought to be drawn, for their own guidance in deciding the particular question before them, and applying it strictly to the decision of that question. That, for his own part, wherever the statute law was silent, he knew not where to look for the law of parliament, or for a definition of the privileges of either house, except in the proceedings and decisions of each house respectively. That he knew of no parliamentary code to judge of questions depending upon the judicial authority of parliament, but the practice of each house, moderated or extended according to the wisdom of the house, and accommodated to the cases before them. That a question touching the seat of a member in the lower house, could only be determined by that house; there was no other court where it could be tried, nor to which there could be an appeal from their decision. That wherever a court of justice is supreme, and their sentence final (which he apprehended no man would dispute was the case in the house of commons, in matters touching elections), the determination of that court must be received and submitted to as the law of the land; for if there be no appeal from a judicial sentence, where shall that sentence be questioned, or how can it be reversed? He admitted that judges might be corrupt, and their sentences erroneous; but these were cases, for which, in respect to supreme courts, the constitution had provided no remedy. That if they wilfully determined wrong, it was iniquitous indeed, and in the highest degree detestable. But it was a crime, of which no human tribunal could take cognizance, and it lay between God and their consciences. That he avoided entering into the merits of the late decision of the house of commons, because it was a subject he was convinced the lords had no right to inquire into, or discuss. That the amendment proposed by the noble lord threatened the most pernicious consequences to the nation, as it manifestly violated every form and law of par-

parliament, was a groſs attack upon the privileges of the houſe of commons, and, inſtead of promoting that harmony which the king had recommended, muſt inevitably throw the whole country into a flame. That there never was an inſtance of the lords inquiring into the proceedings of the houſe of commons with reſpect to their own members; much leſs of their taking upon them to cenſure ſuch proceedings, or of their adviſing the crown to take notice of them. "If, indeed, it be the noble lord's deſign to quarrel with the houſe of commons, I confeſs it will have that effect, and immediately. The lower houſe will undoubtedly aſſert their privileges, and give you vote for vote. I leave it, therefore, to your lordſhips, to conſider the fatal effects which may ariſe in ſuch a conjuncture as the preſent, either from an open breach between the two houſes of parliament, or between the king and the houſe of commons. But, my lords, if I could ſuppoſe it were even adviſable to promote a diſagreement between the two houſes, I would ſtill recommend it to you to take care to be in the right. Whenever I am forced into a quarrel, I will always endeavour to have juſtice on my ſide. Now, my lords, admitting the houſe of commons to have done wrong, will it mend the matter for your lordſhips to do ten times worſe? and that, I am clearly convinced, would be the caſe, if your lordſhips were obliged to declare any opinion of your own, or offer any advice to the crown on a matter in which, by the conſtitution of this country, you have no right whatever to interfere. I will go farther, my lords; I will affirm, that ſuch a ſtep would be as ineffectual as it would be irregular. Suppoſe the king, in conſequence of our advice, ſhould diſſolve the parliament (for that, I preſume, is the true object of the noble lord's amendment), the next houſe of commons that meets, if they know any thing of their own privileges, or the laws of this country, will undoubtedly, on the very firſt day of the ſeſſion, take notice of our proceedings, and declare them to be a violation of the rights of the commons. They muſt do ſo, my lords; or they will ſhamefully betray their conſtituents and themſelves. A

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noble lord (lord Marchmont) near me has propoſed that we ſhould demand a conference with the other houſe. It would be a more moderate ſtep, I confeſs, but equally ineffectual. The commons would never ſubmit to diſcuſs their own privileges with the lords. They would not come to a conference upon ſuch a ſubject; or, if they did come, they would ſoon break it up with indignation. If then the commons have done wrong, I know of no remedy, but either that the ſame power ſhould undo the miſchief they have done, or that the caſe ſhould be provided for by an act of the legiſlature. That, indeed, might be effectual. But whether ſuch a remedy be proper or neceſſary in the preſent caſe, or whether indeed it be attainable, conſidering that the other houſe muſt give their conſent to it, is not a queſtion now before us. If ſuch a bill ſhould be propoſed, it will be regular and parliamentary; and we may then with propriety enter into the legal merits of the deciſion of the houſe of commons. As for the amendment propoſed by the noble lord, I object to it as irregular and unparliamentary. I am perſuaded that it will be attended with very pernicious conſequences to this country, and that it cannot poſſibly produce a ſingle good one.'

The earl of Chatham replied as follows:

" My lords, there is one plain maxim, to which I have invariably adhered through life: That in every queſtion, in which my liberty or my property were concerned, I ſhould conſult and be determined by the dictates of common ſenſe. I confeſs, my lords, that I am apt to diſtruſt the refinements of learning, becauſe I have ſeen the ableſt and the moſt learned men equally liable to deceive themſelves, and to miſlead others. The condition of human nature would be lamentable indeed, if nothing leſs than the greateſt learning and talents, which fall to the ſhare of ſmall a number of men, were ſufficient to direct our judgment and our conduct. But Providence has taken better care of our happineſs, and given us, in the ſimplicity of common ſenſe, a rule for our direction, by which we ſhall never be miſled. I confeſs, my lords, I had no other guide in drawing up the amendment,

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which I ſubmitted to your conſideration; and before I heard the opinion of the noble lord who ſpoke laſt, I did not conceive that it was even within the limits of poſſibility for the greateſt human genius, the moſt ſubtle underſtanding, or the acuteſt wit, ſo ſtrangely to miſrepreſent my meaning, and to give it an interpretation ſo entirely foreign from what I intended to expreſs, and from that ſenſe which the very terms of the amendment plainly and diſtinctly carry with them. If there be the ſmalleſt foundation for the cenſure thrown upon me by that noble lord, if, either expreſſly, or by the moſt diſtant implication, I have ſaid or inſinuated any part of what the noble lord has charged me with, diſcard my opinions for ever, diſcard the motion with contempt.

" My lords, I muſt beg the indulgence of the houſe. Neither will my health permit me, nor do I pretend to be qualified to follow that learned lord minutely through the whole of his argument. No man is better acquainted with his abilities and learning, nor has a greater reſpect for them, than I have. I have had the pleaſure of ſitting with him in the other houſe, and always liſtened to him with attention. I have not now loſt a word of what he ſaid, *nor did I ever*. Upon the preſent queſtion, I meet him without fear. The evidence which truth carries with it, is ſuperior to all argument; it neither wants the ſupport, nor dreads the oppoſition, of the greateſt abilities. If there be a ſingle word in the amendment to juſtify the interpretation which the noble lord has been pleaſed to give it, I am ready to renounce the whole: Let it be read, my lords; let it ſpeak for itſelf. *(It was read)*— In what inſtance does it interfere with the privileges of the houſe of commons? In what reſpect does it queſtion their juriſdiction, or ſuppoſe an authority in this houſe to arraign the juſtice of their ſentence? I am ſure that every lord who hears me, will bear me witneſs, that I ſaid not one word touching the merits of the Middleſex election; ſo far from conveying any opinion upon that matter in the amendment, I did not even in diſcourſe deliver my own ſentiments upon it. I did not ſay that the houſe of commons had done either right or wrong; but,

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when his majeſty was pleaſed to recommend to us to cultivate unanimity amongſt ourſelves, I thought it the duty of this houſe, as the great hereditary council of the crown, to ſtate to his majeſty the diſtracted condition of his dominions, together with the events which had deſtroyed unanimity among his ſubjects. But, my lords, I ſtated thoſe events merely as facts, without the ſmalleſt addition either of cenſure or of opinion. They are facts, my lords, which I am not only convinced are true, but which I know are indiſputably true. For example, my lords: Will any man deny that diſcontents prevail in many parts of his majeſty's dominions? or that thoſe diſcontents ariſe from the proceedings of the houſe of commons touching the declared incapacity of Mr. Wilkes? It is impoſſible: No man can deny a truth ſo notorious. Or will any man deny that thoſe proceedings refuſed, by a reſolution of one branch of the legiſlature only, to the ſubject his common right? Is it not indiſputably true, my lords, that Mr. Wilkes *had* a common right, and that he loſt it no other way but by a reſolution of the houſe of commons? My lords, I have been tender of miſrepreſenting the houſe of commons: I have conſulted their journals, and have taken the very words of their own reſolution. Do they not tell us in ſo many words, that Mr. Wilkes having been expelled, was thereby rendered incapable of ſerving in that parliament? and is it not their reſolution alone, which refuſes to the ſubject his common right? The amendment ſays farther, that the electors of Middleſex are deprived of their free choice of a repreſentative. Is this a falſe fact, my lords? or have I given an unfair repreſentation of it? Will any man preſume to affirm that colonel Luttrell is the free choice of the electors of Middleſex? We all know the contrary. We all know that Mr. Wilkes (whom I mention without either praiſe or cenſure) was the favourite of the county, and choſen, by a very great and acknowledged majority, to repreſent them in parliament. If the noble lord diſlikes the manner in which theſe facts are ſtated, I ſhall think myſelf happy in being adviſed by him how to alter it. I am very little anxious about terms, provided the ſubſtance be preſerved; and theſe

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are facts, my lords, which I am ſure will always retain their weight and importance, in whatever form of language they are deſcribed.

" Now, my lords, ſince I have been forced to enter into the explanation of an amendment, in which nothing leſs than the genius of penetration could have diſcovered an obſcurity, and having, as I hope, redeemed myſelf in the opinion of the houſe, having redeemed my motion from the ſevere repreſentation given of it by the noble lord, I muſt a little longer entreat your lordſhips' indulgence. The conſtitution of this country has been openly invaded in fact; and I have heard, with horror and aſtoniſhment, that very invaſion defended upon principle. What is this myſterious power, undefined by law, unknown to the ſubject, which we muſt not approach without awe, nor ſpeak of without reverence, which no man may queſtion, and to which all men muſt ſubmit? My lords, I thought the ſlaviſh doctrine of paſſive obedience had long ſince been exploded: And, when our kings were obliged to confeſs that their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right, or a divine infallibility, attributed to any other branch of the legiſlature. My lords, I beg to be underſtood, no man reſpects the houſe of commons more than I do, or would contend more ſtrenuouſly than I would, to preſerve them their juſt and legal authority. Within the bounds preſcribed by the conſtitution, that authority is neceſſary to the well-being of the people: Beyond that line every exertion of power is arbitrary, is illegal; it threatens tyranny to the people, and deſtruction to the ſtate. Power without right is the moſt odious and deteſtable object that can be offered to the human imagination: It is not only pernicious to thoſe who are ſubject to it, but tends to its own deſtruction. It is what my noble friend (lord Lyttelton) has truly deſcribed it, *Res deteſtabilis et caduca.* My lords, I acknowledge the juſt power, and reverence the conſtitution, of the houſe of commons. It is for their own ſakes that I would prevent their aſſuming a power which the conſtitution has

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denied them, leſt, by graſping at an authority they have no right to, they ſhould forfeit that which they legally poſſeſs. My lords, I affirm that they have betrayed their conſtituents, and violated the conſtitution. Under pretence of declaring the law, they have *made* a law, and united in the ſame perſons the office of legiſlator and of judge.

" I ſhall endeavour to adhere ſtrictly to the noble lord's doctrine, which it is indeed impoſſible to miſtake, ſo far as my memory will permit me to preſerve his expreſſions. He ſeems fond of the word juriſdiction; and I confeſs, with the force and effect which he has given it, it is a word of copious meaning and wonderful extent. If his lordſhip's doctrine be well founded, we muſt renounce all thoſe political maxims by which our underſtandings have hitherto been directed, and even the firſt elements of learning taught us in our ſchools when we were ſchool boys. My lords, we knew that juriſdiction was nothing more than *jus dicere*; we knew that *legem facere* and *legem dicere* were powers clearly diſtinguiſhed from each other in the nature of things, and wiſely ſeparated by the wiſdom of the Engliſh conſtitution; but now, it ſeems, we muſt adopt a new ſyſtem of thinking. The houſe of commons, we are told, have a ſupreme juriſdiction; that there is no appeal from their ſentence; and that wherever they are competent judges, their deciſion muſt be received and ſubmitted to, as, *ipſo facto*, the law of the land. My lords, I am a plain man, and have been brought up in a religious reverence for the original ſimplicity of the laws of England. By what ſophiſtry they have been perverted, by what artifices they have been involved in obſcurity, is not for me to explain; the principles, however, of the Engliſh laws are ſtill ſufficiently clear: They are founded in reaſon, and are the maſter-piece of the human underſtanding; but it is, in the text that I would look for a direction to my judgment, not in the commentaries of modern profeſſors. The noble lord aſſures us, that he knows not in what code the law of parliament is to be found; that the houſe of commons, when they act as judges, have no law to di-

rect them but their own wisdom; that their decision is law; and if they determine wrong, the subject has no appeal but to Heaven. What then, my lords, are all the generous efforts of our ancestors, are all those glorious contentions, by which they meant to secure to themselves, and to transmit to their posterity, a known law, a certain rule of living; reduced to this conclusion, that instead of the arbitrary power of a king, we must submit to the arbitrary power of an house of commons? If this be true, what benefit do we derive from the exchange? Tyranny, my lords, is detestable in every shape; but in none so formidable as when it is assumed and exercised by a number of tyrants. But, my lords, this is not the fact, this is not the constitution; we *have* a law of parliament, we *have* a code in which every honest man may find it. We have Magna Charta, we have the Statute Book, and the Bill of Rights.

"If a case should arise unknown to these great authorities, we have still that plain English reason left, which is the foundation of all our English jurisprudence. That reason tells us, that every judicial court and every political society must be vested with those powers and privileges which are necessary for performing the office to which they are appointed. It tells us also, that no court of justice can have a power inconsistent with, or paramount to, the known laws of the land: That the people, when they chuse their representatives, never mean to convey to them a power of invading the rights, or trampling upon the liberties, of those whom they represent. What security would they have for their rights, if once they admitted, that a court of judicature might determine every question that came before it, not by any known, positive law, but by the vague, indeterminate, arbitrary rule, of what the noble lord is pleased to call *the wisdom of the court?* With respect to the decision of the courts of justice, I am far from denying them their due weight and authority; yet, placing them in the most respectable view, I still consider them, not as law, but as an evidence of the law; and before they can arrive even at that degree of authority, it must appear, that they

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are founded in, and confirmed by, reaſon; that they are ſupported by precedents taken from good and moderate times; that they do not contradict any poſitive law; that they are ſubmitted to without reluctance by the people; that they are unqueſtioned by the legiſlature (which is equivalent to a tacit confirmation); and what, in my judgment, is by far the moſt important, that they do not violate the ſpirit of the conſtitution. My lords, this is not a vague or looſe expreſſion: We all know what the conſtitution is; we all know, that the firſt principle of it is, that the ſubject ſhall not be governed by the *arbitrium* of any one man, or body of men (leſs than the whole legiſlature), but by certain laws, to which he has virtually given his conſent, which are open to him to examine, and not beyond his ability to underſtand.—Now, my lords, I affirm, and am ready to maintain, that the late deciſion of the houſe of commons upon the Middleſex election, is deſtitute of every one of thoſe properties and conditions which I hold to be eſſential to the legality of ſuch a deciſion. It is not founded in reaſon; for it carries with it a contradiction, that the repreſentative ſhould perform the office of the conſtituent body. It is not ſupported by a ſingle precedent; for the caſe of ſir Robert Walpole is but a half precedent, and even that half is imperfect. Incapacity was indeed declared, but his crimes are ſtated as the ground of the reſolution, and his opponent was declared to be not duly elected, even after his incapacity was eſtabliſhed. It contradicts Magna Charta and the Bill of Rights, by which it is provided, that no ſubject ſhall be deprived of his freehold, unleſs by the judgment of his peers, or the law of the land; and that elections of members to ſerve in parliament ſhall be free; and ſo far is this deciſion from being ſubmitted to by the people, that they have taken the ſtrongeſt meaſures, and adopted the moſt poſitive language, to expreſs their diſcontent. Whether it will be queſtioned by the legiſlature, will depend upon your lordſhips' reſolution; but that it violates the ſpirit of the conſtitution, will, I think, be diſputed by no man who has heard this day's debate, and who wiſhes well to the freedom of his country; yet,

if we are to believe the noble lord, this great grievance, this manifeſt violation of the firſt principles of the conſtitution, will not admit of a remedy; is not even capable of redreſs, unleſs we appeal at once to Heaven. My lords, I have better hopes of the conſtitution, and a firmer confidence in the wiſdom and conſtitutional authority of this houſe. It is to *your* anceſtors, my lords—it is to the Engliſh barons that we are indebted for the laws and conſtitution we poſſeſs. Their virtues were rude and uncultivated, but they were great and ſincere. Their underſtandings were as little poliſhed as their manners, but they had hearts to diſtinguiſh right from wrong; they had heads to diſtinguiſh truth from falſehood; they underſtood the rights of humanity, and they had ſpirit to maintain them.

"My lords, I think that hiſtory has not done juſtice to their conduct, when they obtained from their ſovereign that great acknowledgment of national rights contained in Magna Charta: They did not confine it to themſelves alone, but delivered it as a common bleſſing to the whole people. They did not ſay, Theſe are the rights of the great barons, or theſe are the rights of the great prelates:—No, my lords; they ſaid, in the ſimple Latin of the times, *nullus liber homo*, and provided as carefully for the meaneſt ſubject as for the greateſt. Theſe are uncouth words, and ſound but poorly in the ears of ſcholars; neither are they addreſſed to the criticiſm of ſcholars, but to the hearts of free men. Theſe three words, *nullus liber homo*, have a meaning which intereſts us all; they deſerve to be remembered—they deſerve to be inculcated in our minds—they are worth all the claſſics. Let us not, then, degenerate from the glorious example of our anceſtors. Thoſe iron barons (for ſo I may call them when compared with the ſilken barons of modern days) were the guardians of the people; yet *their* virtues, my lords, were never engaged in a queſtion of ſuch importance as the preſent. A breach has been made in the conſtitution—the battlements are diſmantled—the citadel is open to the firſt invader—the walls totter—the conſtitution is not tenable. What remains then, but

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for us to ſtand foremoſt in the breach, to repair it, or periſh in it?

"Great pains have been taken to alarm us with the dreadful conſequences of a difference between the two houſes of parliament—That the houſe of commons will reſent our preſuming to take notice of their proceedings; that they will reſent our daring to adviſe the crown, and never forgive us for attempting to ſave the ſtate.—My lords, I am ſenſible of the importance and difficulty of this great criſis: At a moment, ſuch as this, we are called upon to do our duty, without dreading the reſentment of any man. But if apprehenſions of this kind are to affect us, let us conſider which we ought to reſpect moſt—the repreſentative, or the collective body of the people. My lords, five hundred gentlemen are not ten millions; and if we *muſt* have a contention, let us take care to have the Engliſh nation on our ſide. If this queſtion be given up, the freeholders of England are reduced to a condition baſer than the peaſantry of Poland. If they deſert their own cauſe, they deſerve to be ſlaves!---My lords, this is not merely the cold opinion of my underſtanding, but the glowing expreſſion of what I feel. It is my heart that ſpeaks: I know I ſpeak warmly, my lords; but this warmth ſhall neither betray my argument nor my temper. The kingdom is in a flame. As mediators between the king and people, it is our duty to repreſent to him the true condition and temper of his ſubjects. It is a duty which no particular reſpects ſhould hinder us from performing; and whenever his majeſty ſhall demand our advice, it will then be our duty to inquire more minutely into the cauſes of the preſent diſcontents. Whenever that inquiry ſhall come on, I pledge myſelf to the houſe to prove, that ſince the firſt inſtitution of the houſe of commons, not a ſingle precedent can be produced to juſtify their late proceedings. My noble and learned friend (the lord chancellor) has alſo pledged himſelf to the houſe that he will ſupport that aſſertion.

"My lords, the character and circumſtances of Mr. Wilkes have been very improperly introduced into this

queſtion, not only here, but in that court of judicature where his cauſe was tried: I mean the houſe of commons. With one party he was a patriot of the firſt magnitude; with the other the vileſt incendiary. For my own part, I conſider him merely and indifferently as an Engliſh ſubject, poſſeſſed of certain rights which the laws have given him, and which the laws alone can take from him. I am neither moved by his private vices, nor by his public merits. In *his* perſon, though he were the *worſt* of men, I contend for the ſafety and ſecurity of the beſt; and God forbid, my lords, that there ſhould be a power in this country of meaſuring the civil rights of the ſubject by his moral character, or by any other rule but the fixed laws of the land! I believe, my lords, *I* ſhall not be ſuſpected of any perſonal partiality to this unhappy man: I am not very converſant in pamphlets or newſpapers; but, from what I have heard, and from the little I have read, I may venture to affirm, that I have had my ſhare in the compliments which have come from that quarter; and as for motives of ambition (for I muſt take to myſelf a part of the noble duke's inſinuation), I believe, my lords, there have been times in which I have had the honour of ſtanding in ſuch favour in the cloſet, that there muſt have been ſomething extravagantly unreaſonable in my wiſhes if they might not *all* have been gratified: After neglecting thoſe opportunities, I am now ſuſpected of coming forward in the decline of life, in the anxious purſuit of wealth and power, which it is impoſſible for me to enjoy. Be it ſo; there is one ambition at leaſt which I ever will acknowledge, which I will not renounce but with my life. It is the ambition of delivering to my poſterity thoſe rights of freedom which I have received from my anceſtors. I am not now pleading the cauſe of an individual, but of every freeholder in England. In what manner this houſe may conſtitutionally interpoſe in their defence, and what kind of redreſs this caſe will require and admit of, is not at preſent the ſubject of our conſideration. The amendment, if agreed to, will naturally lead us to ſuch an inquiry. That inquiry may, perhaps,

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point out the neceſſity of an act of the legiſlature, or it may lead us, perhaps, to deſire a conference with the other houſe; which one noble lord affirms is the only parliamentary way of proceeding; and which another noble lord aſſures us the houſe of commons would either not come to, or would break off with indignation. Leaving their lordſhips to reconcile that matter between themſelves, I ſhall only ſay, that, before we have inquired, we cannot be provided with materials, conſequently we are not at preſent prepared for a conference.

"It is poſſible, my lords, that the inquiry I ſpeak of may lead us to adviſe his majeſty to diſſolve the preſent parliament; nor have I any doubt of our right to give that advice, if we ſhould think it neceſſary. His majeſty will then determine whether he will yield to the united petitions of the people of England, or maintain the houſe of commons in the exerciſe of a legiſlative power, which heretofore aboliſhed the houſe of lords, and overturned the monarchy. I willingly acquit the preſent houſe of commons of having actually formed ſo deteſtable a deſign; but they cannot themſelves foreſee to what exceſſes they may be carried hereafter; and for my own part, I ſhould be ſorry to truſt to their future moderation. Unlimited power is apt to corrupt the minds of thoſe who poſſeſs it; and this I know, my lords, that, where law ends, tyranny begins!"

The amendment was negatived *.

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* In conſequence of this ſtrong and public arraignment of the miniſtry, ſeveral of them reſigned. Lord Chatham's information of the proceedings of the cabinet council was ſuppoſed to have been derived from lord Camden, who, at that time, was lord chancellor; and he having this day divided with lord Chatham the great ſeal was immediately taken from him, as has been already related.

Mr. Yorke was prevailed upon by his majeſty to accept the ſeal; and in a few hours afterwards he put a period to his own exiſtence.

Notwithſtanding the ſeveral reſignations, ſome of them of the firſt families of the kingdom, which took place at

On the 22d of January, the marquis of Rockingham moved for fixing a day to take into consideration the state of the nation.

The object of his lordship's speech was to show, that the present unhappy condition of affairs, and the universal discontent of the people, did not arise from any immediate temporary cause, but had grown upon us by degrees, from the moment of his majesty's accession to the throne. That the persons in whom his majesty then confided, had introduced a total change in the old system of English government---that they had adopted a maxim which must prove fatal to the liberties of this country, *viz.* "That the royal prerogative alone was sufficient to support government, to whatever hands the administration should be committed;" and he could trace the operation of this principle through every act of government since the accession; in which those persons could be supposed to have any influence. Their first exertion of the prerogative was to make a peace contrary to the wishes of the nation, and on terms totally disproportioned to the successes of the war; but as they felt themselves unequal to the conduct of a war, they thought a peace, on any conditions, necessary for their own security and permanence in administration. He then took notice of those odious tyrannical acts of power, by which an approbation of the peace had been obtained: And he mentioned the

this time—notwithstanding the general dissatisfaction and ferment which prevailed throughout the nation—notwithstanding the circumstances of the recent and tragical death of Mr. Yorke—still the court resolved to persevere in their measures.

The success of the court in the perseverance against the petitions of the people of England, encouraged them in the same perseverance against the petitions of the Americans, which followed soon after. But the Americans being farther removed from the scene of corruption, were not debilitated by its influence. They retained the vigour and the virtue of their ancestors, while their fellow-subjects in Britain, affrighted by power, and oppressed by taxes, tamely kissed the rod of their chastisement.

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general ſweep through every branch and department of adminiſtration; the removes not merely confined to the higher employments, but carried down, with the minuteſt cruelty, to the loweſt offices of the ſtate; and numberleſs innocent families, which had ſubſiſted on ſalaries of from fifty to two hundred pounds a year, turned out to miſery and ruin, with as little regard to the rules of juſtice, as to the common feelings of compaſſion. That their ideas of taxation were marked by the ſame principle. The argument urged for taxing the cider counties, *viz.* "the equity of placing them on the ſame footing with others, where malt liquors were chiefly uſed," was too obvious to eſcape the attention of *former* miniſters; but *former* miniſters paid more regard to the liberties of the people, than to the improvement of the revenue. That the object of the cider-act, or the effect of it, at leaſt, was not ſo much to increaſe the revenue, as to extend the laws of exciſe, and open the doors of private men to the officers of the crown.

Without entering into the right of taxing America, it was evident, that ſince the revenue expected to ariſe from that meaſure was allowed to be very inconſiderable, the real purpoſe of government muſt have been to increaſe the number of their officers in that country, and conſequently the ſtrength of the prerogative.

He then took notice of the indecent manner with which the debt upon the king's civil liſt had been laid before, and provided for, by parliament. No account offered---no inquiry permitted to be made---not even the decent ſatisfaction given to parliament of an aſſurance that *in future* ſuch extraordinary expenſes ſhould be avoided. On the contrary, the king's ſpeech on that occaſion had been ſo cautiouſly worded, that, far from engaging to avoid ſuch exceedings for the future, it intimated plainly that the expenſes of the king's civil government could not be confined within the revenue granted by parliament---That as the nation was heavily burdened by the expenſe, they were no leſs groſly inſulted by the manner in which that burden was laid upon them. That, in certain grants lately made by the crown, the miniſtry had adhered to their principle of carrying the prerogative to its utmoſt

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extent. No right of property---no continuance of poſſeſſion, had been conſidered. But, if theſe had been weaker than they were, he thought ſome reſpect was due to the memory of the great prince by whom theſe grants had been made; and, in common juſtice to the noble duke *, whoſe property had been invaded, the miniſtry ſhould, at leaſt, have avoided that hurry and precipitation, which had hardly left his grace time to defend his rights; and by which the miniſtry themſelves ſeemed to confeſs their meaſures would not bear a more deliberate mode of proceeding. But the purpoſes of an election were to be ſerved; and the perſon, benefited by this meaſure, was ſuppoſed to be a better friend to adminiſtration than the noble duke, whoſe property had been arbitrarily transferred to another. And when, upon occaſion of this extraordinary meaſure, and to quiet the minds of the people, a bill had been brought into parliament for ſecuring the property of the ſubject, it had been rejected the firſt year, and violently reſiſted the ſecond; but the juſtice and neceſſity of it had prevailed over the influence and favourite maxims of the adminiſtration. That the affairs of the external part of the empire had been managed with the ſame want of wiſdom, and had been brought into nearly the ſame condition with thoſe at home. In Ireland, he ſaw the parliament prorogued, which probably led to a diſſolution, and the affairs of that kingdom left unprovided for, and in the greateſt confuſion. That in America, meaſures of violence had been adopted, and it had been the uniform language and doctrine of the miniſtry to force that country to ſubmit. That, in his own opinion, violence would not do *there*, and he hoped it would not do *here*. But even if a plan of force were adviſable, why had it not been adhered to? Why did they not adopt and abide by ſome *one* ſyſtem of conduct? That the king's ſpeeches, and the language of the miniſtry at home, had denounced nothing but war and vengeance againſt a rebellious people, whilſt his majeſty's governors abroad were inſtructed to convey to them the gentleſt promiſes of relief and ſatisfaction. His lordſhip

* Duke of Portland.

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here referred to lord Bottetourt's ſpeech to the aſſembly of Virginia, in May 1769, out of which he recited a paſſage in point. The paſſage was this---" I think myſelf peculiarly fortunate to be able to inform you, that in a letter, dated May the 13th, I have been aſſured by the earl of Hillſborough, that his majeſty's preſent adminiſtration have at no time entertained a deſign to propoſe to parliament to lay any further taxes upon America for the purpoſe of raiſing a revenue, and that it is their intention to propoſe, in the next ſeſſion of parliament, to take off the duties upon glaſs, paper, and colours, upon conſideration of ſuch duties having been laid contrary to the true principles of commerce."

With reſpect to foreign affairs, he thought it highly neceſſary to inquire, why France had been permitted to make ſo conſiderable an acquiſition as the iſland of Corſica? That no man could deny, that this iſland would prove a great addition to the ſtrength of France, with reſpect to her marine; both from its harbours, and the timber it produced. He thought this attempt of France was not only unjuſt in itſelf, but directly contrary to certain ſtipulations in the treaty of Aix-la-Chapelle, confirmed by that of 1763, by which it was determined and ſettled, " That the republic of Genoa ſhould be entirely re-eſtabliſhed and maintained in *all* its former ſtates and poſſeſſions; and that, for the advantage and maintenance of the peace in general, for the tranquillity of Italy in particular, all things ſhould remain there in the condition they were in before the war." That he had not dwelt ſo ſtrongly as he might have done, upon that great invaſion of the conſtitution, which had now thrown this whole country into a flame: The people were ſufficiently alarmed for their rights, and he did not doubt but that matters would be duly inquired into. But he conſidered it only as the point to which all the other meaſures of the adminiſtration had tended. That when the conſtitution was violated, we ſhould not content ourſelves with repairing the ſingle breach, but look back into the cauſes, and trace the principles which had produced it,

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with temper and deliberation, but with the utmoſt attention to the intereſts of the noble duke, and every poſſible mark of reſpect to his perſon; and had protracted their deciſion to the very laſt moment allowed by the rules of the board. With reſpect to the debt upon the civil liſt, he neither had, nor could have, any perſonal motives for wiſhing to conceal from parliament the particulars of the extraordinary expenſes, by which that debt had been incurred. That the perſons to whoſe offices it belonged, had been conſtantly employed in drawing up a ſtate of that account, and that they had received every poſſible light and information from the officers of the crown, in order to ſhorten and facilitate the buſineſs: But it was a work of infinite labour and extent; and, notwithſtanding the utmoſt diligence in the ſeveral public offices, could not yet be completed.

That in regard to foreign affairs, he believed the conduct of the king's miniſters would bear the ſtricteſt examination, and would be found irreproachable. That, for his own part, he had never thought, nor had he even affirmed, that the conditions of the late peace were ſuch as the people had a right to expect. He had maintained that opinion in former times, and no change of ſituation ſhould ever induce him to relinquiſh it. But that peace being once made, and thoſe advantages, which might have expected from a continuance of the war, being now irrecoverable, he would never adviſe the king to engage in another war, as long as the dignity of the crown, and the real intereſts of the nation, could be preſerved without it. That what we had ſuffered already by foreign connexions, ought to warn us againſt engaging lightly in quarrels, in which we had no immediate concern, and to which we might probably ſacrifice our moſt eſſential intereſts.

To this the earl of Chatham replied in the following terms: "My lords, I meant to have riſen immediately to ſecond the motion made by the noble lord. The charge which the noble duke ſeemed to think affected himſelf particularly, did undoubtedly demand an early anſwer; as it was proper he ſhould ſpeak before me, and I am as ready as any

in order, not merely to reſtore the conſtitution to preſent health, but, if poſſible, make it invulnerable hereafter.

Upon the whole, he recommended it ſtrongly to their lordſhips, to fix an early day for taking into their conſideration the ſtate of this country in all its relations and dependancies, foreign, provincial, and domeſtic: For we had been injured in them all. That conſideration would, he hoped, lead their lordſhips to adviſe the crown not only how to correct paſt errors, but how to eſtabliſh a ſyſtem of government more wiſe, more permanent, better ſuited to the genius of the people, and, at leaſt, conſiſtent with the ſpirit of the conſtitution.

The duke of Grafton, who ſpoke next, did not oppoſe the motion; on the contrary, he engaged to ſecond it, and to meet the noble lord upon the great queſtion whenever the houſe ſhould think proper. For the preſent, he meant only to exculpate himſelf from ſome ſevere reflections, which he thought were directed particularly and perſonally againſt him. That he was ready to juſtify the meaſures alluded to by the noble lord, about every other part of his conduct; and he did not doubt of being able to do ſo to the ſatisfaction of the houſe. That the reſumption made by the commiſſioners of the treaſury, of a ſuppoſed grant of the crown land, had been moſt unfairly repreſented. He wiſhed the noble lord, inſtead of the word *property*, had only uſed *poſſeſſion*; and then he would have truly deſcribed the fact, and the object. That upon the application made to the board, by the perſon who had diſcovered the defect in the noble duke's title, he could not conſiſtently with his duty, as an officer of the crown, have rejected the claim made by that perſon. That if the noble duke, inſtead of being an opponent, had been the warmeſt friend of adminiſtration, the treaſury board could not have acted otherwiſe than they did, without a flagrant violation of juſtice; and as for that hurry and precipitation of which they were accuſed, he took upon him to contradict the noble lord in the moſt poſitive manner, and offered to prove at the bar of that houſe, that they had proceeded, not only

with temper and deliberation, but with the utmoſt attention to the intereſts of the noble duke, and every poſſible mark of reſpect to his perſon; and had protracted their deciſion to the very laſt moment allowed by the rules of the board. With reſpect to the debt upon the civil liſt, he neither had, nor could have, any perſonal motives for wiſhing to conceal from parliament the particulars of the extraordinary expenſes, by which that debt had been incurred. That the perſons to whoſe offices it belonged, had been conſtantly employed in drawing up a ſtate of that account, and that they had received every poſſible light and information from the officers of the crown, in order to ſhorten and facilitate the buſineſs: But it was a work of infinite labour and extent; and, notwithſtanding the utmoſt diligence in the ſeveral public offices, could not yet be completed.

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any man to applaud the decency and propriety with which he has expreſſed himſelf.

"I entirely agree with the noble lord, both in the neceſſity of your lordſhips concurring with the motion, and in the principles and arguments by which he has very judiciouſly ſupported it. I ſee clearly, that the complexion of our government has been materially altered; and I can trace the origin of the alteration up to a period, which ought to have been an æra of happineſs and proſperity to this country.

"My lords, I ſhall give you my reaſons for concurring with the motion, not methodically, but as they occur to my mind. I may wander, perhaps, from the exact parliamentary debate; but I hope I ſhall ſay nothing but what may deſerve your attention, and what, if not ſtrictly proper at preſent, would be fit to be ſaid, when the ſtate of the nation ſhall come to be conſidered. My uncertain ſtate of health muſt plead my excuſe. I am now in ſome pain, and very probably may not be able to attend my duty, when I deſire it moſt, in this houſe. I thank God, my lords, for having thus long preſerved ſo inconſiderable a being as I am, to take a part upon this great occaſion, and to contribute my endeavours, ſuch as they are, to reſtore, to ſave, to confirm the conſtitution.

"My lords, I need not look abroad for grievances. The grand capital miſchief is fixed at home. It corrupts the very foundation of our political exiſtence, and preys upon the vitals of the ſtate. The conſtitution has been groſly violated—THE CONSTITUTION AT THIS MOMENT STANDS VIOLATED. Until that wound be healed, until the grievance be redreſſed, it is in vain to recommend union to parliament; in vain to promote concord among the people. If we mean ſeriouſly to unite the nation within itſelf, we muſt convince them, that their complaints are regarded, that their injuries ſhall be redreſſed. On *that* foundation I would take the lead in recommending peace and harmony to the people. On any other, I would never wiſh to ſee them united again. If the breach in the conſtitution be effectually repaired,

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the people will of themſelves return to a ſtate of tranquillity—if not—MAY DISCORD PREVAIL FOR EVER! I know to what point this doctrine and this language will appear directed. But I feel the principles of an Engliſhman, and I utter them without apprehenſion or reſerve. The criſis is indeed alarming: So much the more does it require a prudent relaxation on the part of government. If the king's ſervants will not permit a conſtitutional queſtion to be decided on, according to the forms, and on the principles of the conſtitution, it muſt then be decided in ſome other manner; and rather than it ſhould be given up, rather than the nation ſhould ſurrender their birthright to a deſpotic miniſter, I hope, my lords, old as I am, *I ſhall ſee the queſtion brought to iſſue, and fairly tried between the people and the government.* My lords, this is not the language of faction; let it be tried by that criterion, by which alone we can diſtinguiſh what is factious, from what is not—by the principles of the Engliſh conſtitution. I have been bred up in theſe principles; and know, that when the liberty of the ſubject is invaded, and all redreſs denied him, reſiſtance is juſtified. If I had a doubt upon the matter, I ſhould follow the example ſet us by the moſt reverend bench, with whom I believe it is a maxim, when any doubt in point of faith ariſes, or any queſtion of controverſy is ſtarted, to appeal at once to the greateſt ſource and evidence of our religion—I mean the holy Bible: The conſtitution has its political bible, by which, if it be fairly conſulted, every political queſtion may-and ought to be determined. *Magna Charta*, the Petition of Right, and the Bill of Rights, form that code which I call *the Bible of the Engliſh conſtitution.* Had ſome of his majeſty's unhappy predeceſſors truſted leſs to the comments of their miniſters, had they been better read in the text itſelf, the glorious revolution would have remained only poſſible in theory, and would not now have exiſted upon record a formidable example to their ſucceſſors.

"My lords, I cannot agree with the noble duke, that nothing leſs than an immediate attack upon the honour or intereſt of this nation, can authoriſe us to inter-

poſe in defence of weaker ſtates, and in ſtopping the enterpriſes of an ambitious neighbour. Whenever that narrow, ſelfiſh policy, has prevailed in our councils, we have conſtantly experienced the fatal effects of it. By ſuffering our natural enemies to oppreſs the powers, leſs able than we are to make a reſiſtance, we have permitted them to increaſe their ſtrength, we have loſt the moſt favourable opportunities of oppoſing them with ſucceſs; and found ourſelves at laſt obliged to run every hazard, in making that cauſe our own, in which we were not wiſe enough to take part, while the expenſe and danger might have been ſupported by others. With reſpect to Corſica I ſhall only ſay, that France has obtained a more uſeful and important acquiſition in one *pacific* campaign, than in any of her *belligerent* campaigns; at leaſt while I had the honour of adminiſtering the war againſt her. The word may, perhaps, be thought ſingular: I mean only while I was the miniſter, chiefly entruſted with the conduct of the war. I remember, my lords, the time when Lorrain was united to the crown of France, that too was, in ſome meaſure, a pacific conqueſt; and there were people who talked of it, as the noble duke now ſpeaks of Corſica. France was permitted to take and keep poſſeſſion of a noble province; and, according to his grace's ideas, we did right in not oppoſing it. The effect of theſe acquiſitions is, I confeſs, not immediate; but they unite with the main body by degrees, and, in time, make a part of the national ſtrength. I fear, my lords, it is too much the temper of this country to be inſenſible of the approach of danger, until it comes with accumulated terror upon us.

"My lords, the condition of his majeſty's affairs in Ireland, and the ſtate of that kingdom within itſelf, will undoubtedly make a very material part of your lordſhips' inquiry. I am not ſufficiently informed to enter into the ſubject ſo fully as I could wiſh; but by what appears to the public, and from my own obſervation, I confeſs I cannot give the miniſtry much credit for the ſpirit or prudence of their conduct. I ſee, that even where their meaſures are well choſen, they are incapable of carrying

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them through without ſome unhappy mixture of weakneſs or imprudence. They are incapable of doing entirely right. My lords, I do, from my conſcience, and from the beſt weighed principles of my underſtanding, applaud the augmentation of the army. As a military plan, I believe, it has been judiciouſly arranged; in a political view, I am convinced it was for the welfare, for the ſafety of the whole empire. But, my lords, with all theſe advantages, with all theſe recommendations, if I had the honour of adviſing his majeſty, I would never have conſented to his accepting the augmentation, with that abſurd diſhonourable condition, which the miniſtry have ſubmitted to annex to it. My lords, I revere the juſt prerogative of the crown, and would contend for it as warmly as for the rights of the people. They are linked together, and naturally ſupport each other. I would not touch a feather of the prerogative. The expreſſion, perhaps, is too light; but, ſince I have made uſe of it, let me add, that the entire command and power of directing the local diſpoſition of the army is the royal prerogative, as the maſter-feather in the eagle's wing; and if I were permitted to carry the alluſion a little farther, I would ſay, they have diſarmed the imperial bird, the '*Miniſtrum fulminis alitem.*' The army is the thunder of the crown. The miniſtry have tied up the hand which ſhould direct the bolt.

"My lords, I remember that Minorca was loſt for want of four battalions. They could not be ſpared from hence; and there was a delicacy about taking them from Ireland. I was one of thoſe who promoted an inquiry into that matter in the other houſe; and I was convinced we had not regular troops ſufficient for the neceſſary ſervice of the nation. Since the moment the plan of augmentation was firſt talked of, I have conſtantly and warmly ſupported it among my friends: I have recommended it to ſeveral members of the Iriſh houſe of commons, and exhorted them to ſupport it with their utmoſt intereſt in parliament. I did not foreſee, nor could I conceive it poſſible, the miniſtry would accept of it, with a condition that makes the plan itſelf ineffectual, and,

as far as it operates, defeats every useful purpose of maintaining a standing military force. His majesty is now so confined, by his promise, that he must leave twelve thousand men locked up in Ireland, let the situation of his affairs abroad, or the approach of danger to this country, be ever so alarming, unless there be an actual rebellion, or invasion, in Great Britain. Even in the two cases excepted by the king's promise, the mischief must have already begun to operate, must have already taken effect, before his majesty can be authorised to send for the assistance of his Irish army. He has not left himself the power of taking any preventative measures, let his intelligence be ever so certain, let his apprehensions of invasion or rebellion be ever so well founded: Unless the traitor be actually in arms; unless the enemy be in the heart of your country, he cannot move a single man from Ireland *.

" I feel myself compelled, my lords, to return to that subject which occupies and interests me most; I mean the internal disorder of the constitution, and the remedy it demands. But first, I would observe, there is one point upon which I think the noble duke has not explained himself. I do not mean to catch at words, but, if possible, to possess the sense of what I hear. I would treat every man with candour, and should expect the same candour in return. For the noble duke, in particular, I have every personal respect and regard. I never desire to understand him, but as he wishes to be understood. His grace, I think, has laid much stress upon the diligence of the several public offices, and the assistance given them by the administration, in preparing a state of the expenses of his majesty's civil government, for the information of parliament, and for the satisfaction of the public. He has given us a number of plausible reasons for their not having yet been able to finish the account; but, as far as I am able to recollect, he has not yet given us the smallest reason to hope, that it ever will be finished; or that it ever will be laid before parliament.

* See note [B] at the end of the volume.

" My lords, I am not unpractiſed in buſineſs, and if, with all that apparent diligence, and all that aſſiſtance, which the noble duke ſpeaks of, the accounts in queſtion have not yet been made up, I am convinced there muſt be a defect in ſome of the public offices, which ought to be ſtrictly inquired into, and ſeverely puniſhed. But, my lords, the waſte of the public money is not of itſelf ſo important as the pernicious purpoſe to which we have reaſon to ſuſpect that money has been applied. For ſome years paſt, there has been an influx of wealth into this country, which has been attended with many fatal conſequences, becauſe it has not been the regular, natural produce of labour and induſtry. The riches of Aſia have been poured in upon us, and have brought with them not only Aſiatic luxury, but, I fear, Aſiatic principles of government. Without connexions, without any natural intereſt in the ſoil, the importers of foreign gold have forced their way into parliament, by ſuch a torrent of private corruption, as no private hereditary fortune could reſiſt. My lords, not ſaying but what is within the knowledge of us all, the corruption of the people is the great original cauſe of the diſcontents of the people themſelves, of the enterpriſe of the crown, and the notorious decay of the internal vigour of the conſtitution. For this great evil ſome immediate remedy muſt be provided; and I confeſs, my lords, I did hope, that his majeſty's ſervants would not have ſuffered ſo many years of peace to elapſe, without paying ſome attention to an object, which ought to engage and intereſt us all. I flattered myſelf I ſhould ſee ſome barriers thrown up in defence of the conſtitution, ſome impediment formed to ſtop the rapid progreſs of corruption. I doubt not we all agree that ſomething muſt be done. I ſhall offer my thoughts, ſuch as they are, to the conſideration of the houſe; and I wiſh that every noble lord who hears me, would be as ready as I am to contribute his opinion to this important ſervice. I will not call my own ſentiments crude and indigeſted; it would be unfit for me to offer any thing to your lordſhips, which I had not well conſidered; and this ſubject, I own, has not long occupied

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my thoughts. I will now give them to your lordſhips without reſerve.

" Whoever underſtands the theory of the Engliſh conſtitution, and will compare it with the fact, muſt ſee at once how widely they differ. We muſt reconcile them to each other, if we wiſh to ſave the liberties of this country; we muſt reduce our political practice, as nearly as poſſible, to our principles. The conſtitution intended that there ſhould be a permanent relation between the conſtituent and repreſentative body of the people. Will any man affirm, that, as the houſe of commons is now formed, that relation is in any degree preſerved? My lords, it is not preſerved; it is deſtroyed. Let us be cautious, however, how we have recourſe to violent expedients.

" The boroughs of this country have properly enough been called the rotten parts of the conſtitution. I have lived in Cornwall, and without entering into an invidious particularity, have ſeen enough to juſtify the appellation. But in my judgment, my lords, theſe boroughs, corrupt as they are, muſt be conſidered as the natural infirmity of the conſtitution. Like the infirmities of the body, we muſt bear them with patience, and ſubmit to carry them about with us. The limb is mortified, but the amputation might be death.

" Let us try, my lords, whether ſome gentler remedies may not be diſcovered. Since we cannot cure the diſorder, let us endeavour to infuſe ſuch a portion of new health into the conſtitution, as may enable it to ſupport its moſt inveterate diſeaſes.

" The repreſentation of the counties is, I think, ſtill preſerved pure and uncorrupted. That of the greateſt cities is upon a footing equally reſpectable; and there are many of the larger trading towns, which ſtill preſerve their independence. The infuſion of health which I now allude to, would be to permit every county to elect one member more, in addition to their preſent repreſentation. The knights of the ſhires approach neareſt to the conſtitutional repreſentation of the country, becauſe they repreſent the ſoil. It is not in the little dependan

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boroughs, it is in the great cities and counties that the strength and vigour of the constitution resides; and by them alone, if an unhappy question should ever rise, will the constitution be honestly and firmly defended. It would increase that strength, because I think it is the only security we have against the profligacy of the times, the corruption of the people, and the ambition of the crown.

" I think I have weighed every possible objection that can be raised against a plan of this nature; and I confess I see but one, which to me carries any appearance of solidity. It may be said, perhaps, that when the act passed for uniting the two kingdoms, the number of persons who were to represent the whole nation in parliament was proportioned and fixed on for ever—That this limitation is a fundamental article, and cannot be altered without hazarding a dissolution of the Union.

" My lords, no man who hears me can have a greater reverence for that wise and important act, than I have. I revere the memory of that great prince who first formed the plan, and of those illustrious patriots who carried it into execution. As a contract, every article of it should be inviolable; as the common basis of the strength and happiness of two nations, every article of it should be sacred. I hope I cannot be suspected of conceiving a thought so detestable, as to propose an advantage to one of the contracting parties at the expense of the other. No, my lords, I mean that the benefit should be universal, and the consent to receive it unanimous. Nothing less than a most urgent and important occasion should persuade me to vary even from the letter of the act; but there is no occasion, however urgent, however important, that should ever induce me to depart from the spirit of it. Let that spirit be religiously preserved. Let us follow the principle upon which the representation of the two countries was proportioned at the Union: And when we increase the number of representatives for the English counties, let the shires of Scotland be allowed an equal privilege. On these terms, and while the proportion limited by the Union is preserved between the two nations, I apprehend that no man, who is a friend to either, will

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object to an alteration, so necessary for the security of both. I do not speak of the authority of the legislature to carry such a measure into effect, because I imagine no man will dispute it. But I would not wish the legislature to interpose by an exertion of its power alone, without the cheerful concurrence of all parties. My object is the happiness and security of the two nations, and I would not wish to obtain it without their mutual consent.

" My lords, besides my warm approbation of the motion made by the noble lord, I have a natural and personal pleasure in rising up to second it. I consider my seconding his lordship's motion, and I would wish it to be considered by others, as a public demonstration of that cordial union, which, I am happy to affirm, subsists between us—of my attachment to those principles which he has so well defended, and of my respect for his person. There has been a time, my lords, when those who wished well to neither of us, who wished to see us separated for ever, found a sufficient gratification for their malignity against us both. But that time is happily at an end. The friends of this country will, I doubt not, hear with pleasure, that the noble lord and his friends are now united with me and mine, upon a principle which, I trust, will make our union indissoluble. It is not to possess, or divide, the emoluments of government; but, if possible, to save the state. Upon this ground we met—upon this ground we stand, firm and inseparable. No ministerial artifices, no private offers, no secret seduction, can divide us. United as we are, we can set the profoundest policy of the present ministry, their grand, their only arcanum of government, their *divide et impera*, at defiance.

" I hope an early day will be agreed to for considering the state of the nation. My infirmities must fall heavily upon me, indeed, if I do not attend my duty that day. When I consider my age, and unhappy state of health, I feel how little I am personally interested in the event of any political question. But I look forward to others, and am determined, as far as my poor ability extends, to

to convey to thoſe who come after me, the bleſſings which I cannot long hope to enjoy myſelf."

On the ſecond day of February 1770, the houſe of lords being in a committee on the ſtate of the nation, lord Rockingham moved, that the houſe of commons, in the exerciſe of its judicature in matters of election, is bound to judge according to the law of the land, and the known and eſtabliſhed law and cuſtom of parliament, which is part thereof.

The earl of Sandwich oppoſed the motion; and lord Chatham replied to lord Sandwich.

Lord Chatham began with obſerving, that the noble lord had been very adroit in referring to the journals, and in collecting every circumſtance that might aſſiſt his argument. "Though my long and almoſt continued infirmities," ſaid he, "have denied me the hour of eaſe to obtain theſe benefits, yet, without the aſſiſtance of the journals, or other collaterals, I can reply to both the precedents which his lordſhip has produced.

"I will readily allow the facts to be as the noble earl has ſtated them, *viz.* That Lionel earl of Middleſex, as well as lord Bacon, were both, for certain crimes and miſdemeanors, expelled this houſe, and incapacitated from ever ſitting here; without occaſioning any interference from the other branches of the legiſlature.

"Neither of theſe caſes bears any analogy to the preſent caſe. They affected only themſelves. The rights of no conſtituent body were affected by them. It is not the *perſon* of Mr. Wilkes that is complained of; as an individual, he is perſonally out of the diſpute. The cauſe of complaint, the great cauſe, is, that the inherent rights and franchiſes of the people are, in this caſe, invaded, trampled upon, and annihilated. Lord Bacon and lord Middleſex repreſented no county, or city. The rights of no freeholder, the franchiſes of no elector were deſtroyed by their expulſion. The caſes are as widely different as north from ſouth. But I will allow the noble earl a ſuccedaneum to his argument, which, probably, he has not as yet thought of. I will ſuppoſe he urges, 'That whatever authority gives a ſeat to a peer, it is,

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at leaſt, equally as reſpectable as to a commoner, and that, both in expulſion and incapacitation, the injury is directly the ſame:'—Granted; and I will further allow, that if Mr. Wilkes had not been *re-elected* by the people, the firſt expulſion, I believe, would be efficient. Therefore, my lords, this compariſon ceaſes; for, except theſe noble lords mentioned, had received a freſh title, either by birth or patent, they could not poſſibly have any claim after the firſt expulſion. The noble lord aſks, 'How came this doctrine to be broached?' And adds, 'Who ſhould be more tenacious of their liberties and privileges than the members themſelves?' In reſpect to the latter part of this queſtion, I agree none ſhould be ſo proper as themſelves to protect their own rights and privileges; and I ſincerely lament that they have, by their recent conduct, ſo far forgot what thoſe privileges are, that they have added to the long liſt of venality from Eſau to the preſent day. In regard to the firſt part, 'How came this doctrine to be broached?' I muſt tell the noble lord it is as old as the conſtitution itſelf; the liberties of the people, in the original diſtribution of government, being the firſt thing provided for; and in the caſe of Mr. Wilkes, though we have not inſtances as numerous as in other caſes, yet it is by no means the leſs con itutional; like a comet in the firmament, which, however it may dazzle and ſurpriſe the vulgar and untutored, by the unfrequency of its appearance, the philoſopher, verſed in aſtronomic ſcience, it affects no more than any other common proceſs of nature, being perfectly ſimple, and to him perfectly intelligible. Need I remind you, my lords, at this period, of that common ſchool-boy poſition, 'that the conſtitution of this country depends upon king, lords, and commons, that each by their power are a balance to the other?' If this is not the caſe, why were the three eſtates conſtituted? Why ſhould it be neceſſary before an act of parliament takes place, that their mutual concurrence ſhould be had? My lords, I am aſhamed to trudge in this common track of argument; and have no apology to make, but that I have been drawn into it by the noble lord's aſſerting,

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'We had no right to interfere with the privileges of the other houſe.'

"The noble earl has been very exact in his calculation of the proportion of perſons who have petitioned; and did the affair reſt merely on *this* calculation, his argument would be unanſwerable; but will he conſider what numbers, whoſe private ſentiments felt all the rigour of parliamentary proceedings, but for want of a few principals to call them together, and collect their opinions, have never reached the ear of their ſovereign? If we add to this number, the intereſt made uſe of on the ſide of government, to ſuppreſs all petitions, with the authority that placemen have neceſſarily over their dependants, it is very ſurpriſing, that out of forty counties, thirteen had ſpirit and independence ſufficient to ſtem ſuch a tide of venality. But I will ſuppoſe that this was not the caſe, that no undue influence was made uſe of, and that hence but one third of the people think themſelves aggrieved. Are numbers to conſtitute right? are not the laws of the land fixed and unalterable? and is not this proceeding complained of, or any other (ſupported even but by one), to be tried and adjudged by theſe laws? Therefore, however the noble lord may excel in the doctrine of calculation as a ſpeculative matter, it can by no means ſerve him, urged in the courſe of argument.

"Let us not then, my lords, be deaf to the alarms of the people, when theſe alarms are founded on the infringement of their rights. Let us not ſit neuter and inattentive to the proceedings of the other houſe. We are, equally with that houſe, entruſted with the people's rights, and we cannot conſcientiouſly diſcharge our duties without our interference, whenever we find thoſe rights, in any part of the conſtitution, trampled on.

"I have, my lords, treſpaſſed on your patience at this late hour of the night, when the length of this debate muſt have fatigued your lordſhips conſiderably. But I cannot apologize in a caſe ſo deeply intereſting to the nation—no time can be too long—no time can be loſt—no hardſhips can be complained of."

He condemned the conduct of the houſe of commons in terms of aſperity. He denominated the vote of that houſe, which had made colonel Luttrel repreſentative for Middleſex, a groſs invaſion of the rights of election—a dangerous violation of the Engliſh conſtitution—a treacherous ſurrender of the invaluable privilege of a freehold, and a corrupt ſacrifice of their own honour. They had ſtript the ſtatute book of its brighteſt ornaments, to gild the wings, not of prerogative, but of unprincipled faction and lawleſs domination. To gratify the reſentments of ſome individuals, the laws had been deſpiſed, trampled upon, and deſtroyed—thoſe laws, which had been made by the ſtern virtue of their anceſtors, the iron barons of old, to whom we were indebted for all the bleſſings of our preſent conſtitution; to whoſe virtue and whoſe blood, to whoſe ſpirit in the hour of conteſt, and to whoſe tenderneſs in the triumph of victory, the ſilken barons of this day owe their honours and their ſeats, and both houſes of parliament owe their continuance. Theſe meaſures, he ſaid, made a part of that unhappy ſyſtem, which had been formed in the preſent reign, with a view to *new-model* the conſtitution, as well as the government. Theſe meaſures originated, he would not ſay, with his majeſty's knowledge, but in his majeſty's councils. The commons had ſlaviſhly obeyed the commands of his majeſty's ſervants, and had thereby exhibited, and proved to the conviction of every man, what might have been only matter of ſuſpicion before—*that miniſters held a corrupt influence in parliament:* It was demonſtrable—it was indiſputable. It was therefore particularly neceſſary for their lordſhips, at this critical and alarming period, ſo full of jealouſy and apprehenſion, to ſtep forwards, and oppoſe themſelves, on the one hand, to the juſtly incenſed, and perhaps ſpeedy intemperate rage of the people; and on the other, to the criminal and malignant conduct of his majeſty's miniſters; that they might prevent licentiouſneſs on the one ſide, and depredation on the other. Their lordſhips were the conſtitutional barrier between the extremes of liberty and prerogative.

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The houſe being in a committee, the queſtion was put, whether the ſpeaker ſhould reſume the chair? which was decided in the affirmative by a great majority.

Though the queſtion was now got rid of, and notwithſtanding it was paſt twelve o'clock, the earl of Marchmont made the following motion: "That any reſolution of this houſe, directly or indirectly impeaching a judgment of the houſe of commons in a matter where their juriſdiction is competent, final, and concluſive, would be a violation of the conſtitutional right of the commons, tends to make a breach between the two houſes of parliament, and leads to a general confuſion."

* It ſhould ſeem that the Scotch peers kept this motion in their pockets; and that they reſerved themſelves for it; as neither the earl of Marchmont, who made it, nor lord Mansfield, who ſupported it, opened their mouths till now; when they both ſpoke with great vigour. The earl of Marchmont threw out, by way of menace to the oppoſition, that if they went one ſtep further, they would juſtify the neceſſity of calling in foreign aſſiſtance. The duke of Richmond called him to order, and aſked for an explanation of the words *foreign aſſiſtance*. But he *ſhuffled* it off. Lord Mansfield, in a long ſpeech, inſiſted that their Lordſhips had no right to interfere in any determination of the commons. The earl of Egmont ſaid, the late petitions were highly cenſurable, that the people had no right to preſent ſuch petitions, for that they were treaſonable—the earl of Chatham thanked him for his *lenity*, in permitting the petitioners to have their heads on one day longer; and ſaid, the petitions were laudable and conſtitutional; and the right of the people to preſent them, undoubted. He then replied to lord Mansfield, and ſhowed the neceſſity of the houſe of lords interfering, in caſe of an invaſion of the people's liberties, or an unconſtitutional determination of the houſe of commons; and he affirmed, that the caſe of the county of Middleſex fell under both thoſe denominations. He then conjured

* From the London Muſeum, vol. i. page 190. It is not known that any other account of this debate was taken.

them, by the noble blood which had run for ſo many ages in their veins, and by the noble ſtruggles of their anceſtors in behalf of liberty, not to behold with indifference a tranſaction ſo alarming; and modeſtly ſaid of himſelf, for his own part, he was hardly warm in his ſeat. He quoted lord Somers and chief juſtice Holt, in ſupport of his law; and drew their characters very finely. He called them *honeſt men*, who knew and loved the Engliſh conſtitution. Then turning to lord Mansfield, he ſaid, I vow to God I think the noble lord equals them both—*in abilities*. Towards the concluſion he complained ſtrongly of the motion's being *ſudden*, and made at midnight, and preſſed the neceſſity of an adjournment of only *two days*. He ſaid, among other things, "If the conſtitution muſt be wounded, let it not receive its mortal ſtab at this dark and midnight hour, when honeſt men are aſleep in their beds, and when only felons and aſſaſſins are ſeeking for prey."

At half paſt one in the morning the queſtion was put, and decided in the affirmative.

On the ſecond day of March 1770, a motion was made in the houſe of lords by lord Craven, for an addreſs to the king, requeſting his majeſty would put his royal navy on ſuch a footing as to ſecure reſpect to his crown, and protection to the trade of his ſubjects.

On this occaſion lord Chatham condemned the conduct of his majeſty's ſervants, in almoſt every particular. He complained ſtrongly of the ſecret influence of the earl of Bute, which he affirmed ſtill continued, and which had prevented there having been any original miniſter ſince the acceſſion of his preſent majeſty. The duke of Grafton took this to himſelf, and ſaid he did not know what the noble earl meant, by there having been no original miniſter; he could take upon him to ſay, that while he was in office he was as much miniſter as any man could be. Lord Chatham ridiculed the idea of the noble duke's having been miniſter, and ſeemed to laugh at his preſumption in having thought himſelf ſo. He ſaid, he ſpoke of the ſecret influence of an inviſible power;—of a favourite, whoſe pernicious counſels had occaſioned all the preſent

unhappineſs

unhappineſs and diſturbances in the nation, and who, notwithſtanding he was abroad, was at this moment as potent as ever; that he had ruined every plan for the public good, and betrayed every man who had taken a reſponſible office; that there was no ſafety, no ſecurity againſt his power and malignity: That he himſelf had been duped, he confeſſed it with ſorrow; that he had been duped when he leaſt ſuſpected treachery, at a time when the proſpect was fair, and when the appearances of confidence were ſtrong; in particular, at the time when he was taken ill, and obliged to go to Bath for a ſhort week; he had, before he ſet out, formed, with great pains, attention, and deliberation, ſchemes highly intereſting and of the utmoſt importance to this country; ſchemes which had been approved in council, and to which the king himſelf had given his conſent. But when he returned, he found his plans were all vaniſhed into thin air.

"The houſe of Savoy," continued he, "has produced a race of illuſtrious princes; notwithſtanding which it muſt be confeſſed, that the court of Turin ſold you to the court of France in the laſt peace. When I was earneſtly called upon for the public ſervice, I came from Somerſetſhire with wings of zeal. I conſented to preſerve a peace which I abominated; a peace I would not make, but would preſerve when made. I undertook to ſupport a government by law; but to ſhield no man from public juſtice. Theſe terms were accepted, I thought with ſincerity accepted. I own I was credulous, I was duped, I was deceived; for I ſoon found that there was no ORIGINAL adminiſtration to be ſuffered in this country. The ſame ſecret inviſible influence ſtill prevailed, which had put an end to all the ſucceſſive adminiſtrations, as ſoon as they oppoſed or declined to act under it."

Here the duke of Grafton roſe again, and ſaid, "I riſe, to defend the king; though, if I underſtand rightly the words which have been ſpoken, they are only the effects of a diſtempered mind, brooding over its own diſcontent."

To this reflection lord Chatham replied, "I riſe neither to deny, to retract, nor to explain away the words I have ſpoken. As for his majeſty, I always found every thing

gracious and amiable in the closet; so amiably condescending as to *promise*, in every repeated audience, not only to forgive, but to supply the defects of health by his cheerful support, and by the ready assistance of all his immediate dependants, &c. Instead of this, all the obstacles and difficulties which attended every great and public measure, did not arise from those out of government: They were suggested, nourished, and supported by that secret influence I have mentioned, and by the industry of those very dependants; first by secret treachery; then by official influence; afterwards in public councils. A long train of these practices has at length unwillingly convinced me, that there is something behind the throne greater than the king himself. As to the noble duke, there was in his conduct, from the time of my being taken ill, a gradual deviation from every thing that had been settled and solemnly agreed to by his grace, both as to measures and men; till at last there were not left two planks together of the ship which had been originally launched. As to a distempered mind, I have a drawer full of proofs that my principles have never given way to any disease; and that I have always had sufficient vigour of mind remaining to support them, and consequently to avoid all those snares, which from time to time have been so artfully laid to take advantage of my state of health; his grace can witness better than any other man, because he has himself the letters which sufficiently prove it."

The motion was negatived.

On the sixteenth day of March, a motion was made, to appoint a committee to inquire into the state and expenditure of the civil list.

Lord Chatham spoke in support of the motion. He said, the civil list was appropriated, in the first instance, to the support of the civil government; and in the next, to the honour and dignity of the crown. In every other respect, the minute and particular expenses of the civil list are as open to parliamentary examination and inquiry, in regard to the application and abuse, as any other grant of the people, to any other purpose; and ministers are equally or more culpable for incurring an unprovided ex-

pense,

penſe, and for running in arrears this ſervice, as for any other. The preambles of the civil liſt acts prove this: And none but children, novices, or ignorant perſons, will ever act without proper regard to them; and therefore I can never conſent to increaſe fraudulently the civil eſtabliſhment, under pretence of making up deficiencies; nor will I bid ſo high for royal favour; and the miniſter who is bold enough to ſpend the people's money, before it is granted (even though it were not for the purpoſe of corrupting their repreſentatives), and thereby leaving the people of England no other alternative, but either to diſgrace their ſovereign, by not paying his debts, or to become the prey of every unthrifty or corrupt miniſter—ſuch miniſter deſerves death.

"The late good old king had ſomething of humanity, and amongſt other royal and manly virtues, he poſſeſſed juſtice, truth, and ſincerity, in an eminent degree; ſo that he had ſomething about him, by which it was poſſible for you to know whether he liked you or diſliked you.

"I have been told that I have a penſion, and that I have recommended others to penſions. It is true; and here is a liſt of them: You will find there the names of general Amherſt, ſir Edward Hawke, and ſeveral others of the ſame nature; they were given as rewards for real ſervices, and as encouragements to other gallant heroes. They were honourably earned in a different ſort of campaigns than thoſe at Weſtminſter; they were gained by actions, full of danger to themſelves, of glory and benefaction to this nation; not by corrupt votes of baſeneſs and deſtruction to their country.

"You will find no ſecret ſervices there, and you will find, that when the warrior was recompenſed, the member of parliament was left free. You will likewiſe find a penſion of 1500l. a year to lord Camden. I recommended his lordſhip to be chancellor; his public and private virtues were acknowledged by all; they made his ſtation more precarious. I could not reaſonably expect from him, that he would quit the chief juſticeſhip of the common pleas, which he held for life, and put himſelf in the power of thoſe who were not to be truſted, to be diſmiſſed from the chancery, perhaps the day after his appointment.

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The public has not been deceived by his conduct. My ſuſpicions have been juſtified. His integrity has made him once more a poor and a private man; he was diſmiſſed for the vote he gave in favour of the right of election to the people."

Here lord Marchmont, who lately talked of foreign force, called lord Chatham to order. Some lords called out "To the bar, to the bar!" Lord Marchmont moved, that lord Chatham's words ſhould be taken down.

Lord Chatham ſeconded the motion, and added, "I neither deny, retract, nor explain theſe words. I do re-affirm the fact, and I deſire to meet the ſenſe of the houſe; I appeal to the honour of every lord in this houſe, whether he has not the ſame conviction."

Lord Rockingham, lord Temple, and many other lords, did upon their honour affirm the ſame.

Lord Sandwich and lord Weymouth would have withdrawn the motion; but lord Marchmont, encouraged by lord Mansfield, perſiſted, and moved, that nothing had appeared to juſtify ſuch an aſſertion.

Lord Chatham ſtill maintained his aſſertion: "My words," ſaid he, "remain unretracted, unexplained, and re-affirmed. I deſire to know whether I am condemned or acquitted; and whether I may ſtill preſume to hold up my head as high as the noble lord who moved to have my words taken down.'

To this no anſwer was given.

Lord Chatham was reproached with having recommended the duke of Grafton; and that he had forced his grace on the king as his firſt miniſter.

Lord Chatham replied, "I adviſed his majeſty to take the duke of Grafton as firſt lord of the treaſury: But there is ſuch a thing as time as well as tide; and the conduct of the noble duke has convinced me, that I am as likely to be deceived as any other man, and as fallible as my betters. It was an expreſſion of that great miniſter ſir R. Walpole, upon a debate on the army in the year 1737, "Thoſe who gave the power of blood, gave blood." I will beg leave to parodize the expreſſion, and ſay, Thoſe who gave the means of corruption, gave corruption. *I will truſt no ſovereign in the world with the means of pur-*

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chasing the liberties of the people. When I had the honour of being the confidential keeper of the king's intention, he assured me, that he *never intended to exceed the allowance* which was made by parliament; and therefore, my lords, at a time when there are no marks of personal dissipation in our king, at a time when there are no marks of any considerable sums having been expended to procure the secrets of our enemies; that a request of an inquiry into the expenditure of the civil list should be refused, is to me most extraordinary. Does the king of England want to build a palace equal to his rank and dignity? Does he want to encourage the polite and useful arts? Does he mean to reward the hardy veteran, who has defended his quarrel in many a rough campaign, whose salary does not equal that of some of your servants? Or does he mean, by drawing the purse-strings of his subjects, to spread corruption through the people, to procure a parliament, like a packed jury, ready to acquit his ministers at all adventures? I do not say, my lords, that corruption lies *here*, or that corruption lies *there*; but if any gentleman in England were to ask me, whether I thought both houses of parliament were bribed, *I should laugh in his face*, and say, 'Sir, is it not so?' My lords, from all that has been said, I think it must appear, that an inquiry into the state and expenditure of the civil list revenue is expedient, proper, and just; a refusal of it at this time will only add ridicule to disgrace, and folly to enormity."

The motion was negatived.

On this subject of the civil list, it cannot be improper to show the falsity of a compliment paid by Boyer, Tindal, Goldsmith, and other writers, and even by some members of former parliaments, in their speeches, when it has suited their purpose, to the late queen Anne. They say, that for four years she gave one hundred thousand pounds per annum, out of her civil list, towards carrying on the war against France; and hence they deduce an argument in proof of the economy and patriotism of that princess. If the assertion had been true, the argument might have passed without notice. But when a compli-

ment of this ſort is paid, not only without foundation, but at the expenſe of truth, and of the nation; it is preſumed, that it will not be thought improper to ſtate the fact, for the information of thoſe who have not the journals of parliament, and other documents, in their poſſeſſion.

In fact, this pretended generoſity was one of the moſt ſcandalous actions that the crown ever committed by any adminiſtration. It was a manifeſt and groſs cheat upon the public, who were extravagant loſers by it; for ſome time after, *viz.* upon the 25th of June 1713, the queen acquainted the houſe of commons, by meſſage, that ſhe had contracted a very large debt upon her civil liſt revenues, which ſhe was unable to pay, and therefore deſired to make them good; and ſuch was the complaiſance of a tory parliament, that notwithſtanding the deteſtation which muſt have ariſen in every honeſt breaſt, upon the detection of this clumſy juggle, and though Mr. Smith, one of the tellers of the exchequer *, honeſtly informed the houſe, that the eſtimate of this debt was aſtoniſhing to him, being made to amount, in Auguſt 1710, to 400,000l.; whereas he was able to affirm from his own knowledge, that it amounted at that time to little more than 100,000l.; and though many others undertook to prove, that the funds given for 700,000l. had, in reality, amounted to 800,000l. and though theſe gentlemen had prevailed ſo far as to procure an addreſs to the crown for an account of the civil liſt debt at midſummer 1713, and for a yearly account of the net produce of the civil liſt revenue, no regard was paid to this information nor to this addreſs; none of theſe accounts were ever permitted to be laid before the houſe, and upon the very next day they voted no leſs a ſum than 500,000l. for this ſervice. This is the truth, and the whole truth, of that generous exploit of the daughter of king James II. It was a mean trick, by which the nation was cheated of 400,000l.—"This queen (ſays a modern writer) had as many private

* The tellers of the exchequer were at that time members of parliament.

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vices, and as few public virtues, as any prince who has filled the British throne since the house of Tudor."

On hte fifth day of April, Mr. Grenville's bill for trying controverted elections was brought from the house of commons by Mr. Grenville, attended by one hundred members.

Lord Chatham supported the bill, and passed some very elegant encomiums upon it. He then said, that as he had begun his life out of a court, he hoped he should end it out of a court. He had no view of interest. All he meant was to rouse his country to a just sense of the blessings of this constitution.

On the first day of May 1770, the earl of Chatham presented to the house a bill, intituled,

"A Bill for reversing the Adjudications of the House of Commons, whereby John Wilkes, Esq. has been adjudged incapable of being elected a Member to serve in this present Parliament, and the Freeholders of the County of Middlesex have been deprived of one of their legal Representatives."

The said bill was read the first time.

The following is an accurate copy of the bill.

"A Bill for reversing the Adjudications of the House of Commons, whereby John Wilkes, Esq. has been adjudged incapable of being elected a Member to serve in this present Parliament, and the Freeholders of the County of Middlesex have been deprived of one of their legal Representatives.

"Whereas the capacity of being elected a representative of the commons in parliament, is (under known limitations of law) an original inherent right of the subject; and forasmuch as to deprive the subject of this high franchise and birth-right, otherwise than by a judgment according to the law of the land, and the constant established usage of parliament conformable thereto, and part thereof, is directly contrary to the fundamental laws and freedom of this realm, and in particular to the act, 'declaring the rights and liberties of the subject, and settling the succession of the crown,' at the ever memorable pe-

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riod of the Revolution; when the free election of members of parliament was expreſly vindicated and ſecured:

"And whereas John Wikes, eſq. having been duly elected and returned a knight of the ſhire to ſerve in this preſent parliament for the county of Middleſex, was, on the 17th of February 1769, without being heard, adjudged incapable of being elected a member to ſerve in this preſent parliament, by a reſolution of the houſe of commons, as follows:

"'Reſolved,

"'That John Wilkes, eſq. having been in this ſeſſion of parliament expelled this houſe, was and is incapable of being elected a member to ſerve in this preſent parliament:'

"And whereas on the ſame day the ſaid houſe of commons farther reſolved as follows: 'That the late election of a knight of the ſhire to ſerve in this preſent parliament for the county of Middleſex is a void election:'

"And whereas the ſaid John Wilkes, eſq. having been again duly elected and returned a knight of the ſhire to ſerve in this preſent parliament for the county of Middleſex, the ſaid houſe of commons did, on the 17th of March 1769, reſolve in the words following, 'That the election and return of John Wilkes, eſq. who hath been by this houſe adjudged incapable of being elected a member to ſerve in this preſent parliament, are null and void:'

"And whereas the ſaid John Wilkes, eſq. having been again duly elected and returned a knight of the ſhire to ſerve in the preſent parliament for the county of Middleſex aforeſaid, and having on the original poll-books, eleven hundred and forty-three votes in his favour, againſt two hundred and ninety-ſix, in favour of Henry Lawes Luttrell, eſq. the houſe of commons did, on the 15th of April 1769, without a hearing of parties, and in manifeſt violation of the indubitable right of the freeholders of the county of Middleſex to chuſe their repreſentatives in parliament, reſolve as follows:

"'That Henry Lawes Luttrell, eſq. ought to have been returned a knight of the ſhire to ſerve in this preſent parliament

liament for the county of Middlesex,' and thereupon ordered the said return to be amended accordingly:

"And whereas, by another resolution, of the 8th of May 1769, the said house of commons did, upon hearing the matter of the petition of the freeholders of the county of Middlesex, as far as the same related to the election of Henry Lawes Luttrell, farther resolve as follows:

"'That Henry Lawes Luttrell, esq. is duly elected a knight of the shire to serve in this present parliament for the county of Middlesex:'

"And forasmuch as all the resolutions aforesaid, cutting off the subject from his indubitable birthright, by a vote of one house of parliament, exercising discretionary power and legislative authority, under colour of a jurisdiction in elections, are most arbitrary, illegal, and dangerous:

"Be it therefore declared and enacted, by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that all the adjudications contained in the above-mentioned several resolutions are arbitrary and illegal, and the same are and shall be hereby reversed, annulled, and made void, to all intents and purposes whatsoever."

After the first reading of the said bill, it was moved,

"That the said bill be read a second time, on Thursday next;" which being warmly objected to by lord Denbigh, lord Chatham replied, "The noble lord has been loud and violent against this motion. He seems to be very angry with the friends of this measure, but then he is angry *in such a sort*, that I am sure nobody can be angry with him; I shall, therefore, wave replying to some reflections he has thrown out upon the faction, as he is pleased to call it, and take a short view of the cause of this motion. Here are 1143 legal, sworn freeholders, vote a gentleman their member of parliament, against 296 who oppose him: With this apparent majority, he comes to take his seat so given him by the laws and constitution of his country. But what do the house of commons? Why, they shut the door in his face, and by a new state-arithmetic, make 296 a greater number than 1143. Is not this, my lords, flying

flying in the face of all law and freedom? Is not this apparently robbing the freeholders of their liberty, and making a mere farce of Engliſhmen's birthrights? It is very true, the houſe of commons had a right, if petitioned by colonel Luttrell, to inquire minutely into the qualifications of his opponent's electors; to admit none as ſuch, but thoſe duly qualified by law; and after making theſe deductions, then determine the majority. But this has not been even attempted. The ſeat of the legal repreſentative has been wreſted from him, and a violent outrage has been committed, that ſtrikes at every thing that is dear and ſacred to the liberties of Engliſhmen.

"It has been urged, my lords, that there is no precedent for one houſe taking cognizance of the proceedings of the other. If my memory ſerves me right, I remember one nearly parallel, in the caſe of Titus Oates, where the commons took cognizance of the proceedings of the lords on that ſubject; ſo that it is no new thing for one houſe to be a check on the other, as it is not only eſtabliſhed by precedent, but by the principles of our conſtitution.

"It is ſaid, my lords, that the ſpirit of diſcontent has gone abroad---I ſhould be ſurpriſed if it had not; for how can it be otherwiſe, when, to uſe a familiar expreſſion, colonel Luttrell ſits in the *lap* of John Wilkes; when a corrupt houſe of commons invert all law and order, and deny the juſt privilege the electors claim by the conſtitution of theſe kingdoms? Though I will not aid the voice of faction, I will aid the juſt complaints of the people; and while I have ſtrength to crawl, I will exert my poor abilities in their ſervice; and I here pledge myſelf to their cauſe, becauſe I know it is the cauſe of truth and juſtice.

"I am afraid, my lords, this meaſure has ſprung too near the throne---I am ſorry for it: But I hope his majeſty will ſoon open his eyes, and ſee it in all its deformity;" (here lord Pomfret interrupted him, by calling him to order;) upon which lord Chatham ſaid, "I do not retract my words, I eſteem the king in his perſonal capacity, I revere him in his political one; and on theſe principles I hope he will ſee it, and ſee it in ſuch a light, that he will redreſs

redreſs it, by the diſſolution of a houſe that could adopt ſuch a meaſure."

The motion to read the bill a ſecond time was negatived.

Lord Stafford (then lord Gower) moved to reject the bill; upon which the lords divided, 89 for the motion, 43 againſt it.

Before the houſe adjourned, lord Chatham deſired their lordſhips might he ſummoned for the fourth of May; for, ſaid he, I have a motion of great importance relative to the king.

On the fourth day of May lord Chatham moved the following reſolution:

"That it is the opinion of this houſe, that the advice, inducing his majeſty to give the anſwer to a late humble addreſs, remonſtrance, and petition, of the lord mayor, aldermen, and livery of the city of London, in common-hall aſſembled, is of a moſt dangerous tendency; inaſmuch as thereby, the exerciſe of the cleareſt rights of the ſubject, namely, to petition the king for redreſs of grievances; to complain of violation of the freedom of election; to pray diſſolution of parliament; to point out mal-practices in adminiſtration; and to urge the removal of evil miniſters; has, under pretence of reproving certain parts of the ſaid remonſtrance and petition, by the generality of *one* compendious *word*, CONTENTS, been indiſcriminately checked with reprimand; and the afflicted citizens of London have heard from the throne itſelf, that the *contents* of their humble addreſs, remonſtrance, and petition, laying their *complaints* and *injuries* at the feet of the ſovereign, as *father* of his people, *able* and *willing* to *redreſs* them, cannot but be conſidered by his majeſty, as diſreſpectful to himſelf, injurious to his parliament, and irreconcileable to the principles of the conſtitution."

This motion being regularly read by the ſpeaker, lord Chatham proceeded—"I am to conſider, in conſequence of this motion, what it was the lord mayor, aldermen, and livery of the city of London requeſted, in order to diſcover the cauſes they gave, by their requiſition, for ſuch an

anſwer---an anſwer ſo harſh, that it exceeds every thing in the hiſtory of this country. They requeſted, my lords, very humbly, a reſtoration of the freedom of election, a diſmiſſion of unjuſt ſervants, and a diſſolution of a parliament that protected them; becauſe they (the citizens of London) were not, legally, repreſented by ſuch. Now, my lords, I do aver the truth of this petition; and I do likewiſe aver, that the citizens of London, with the reſt of his majeſty's ſubjects, have a right to petition, not only by magna charta, and the bill of rights, but by a variety of acts of parliament, numerous as they are expreſſive. No particular part of the petition is replied to, but the whole of the *contents* are at once diſpoſed of —'That this petition was diſreſpectful to himſelf (the king), injurious to his parliament, and irreconcileable to the principles of the conſtitution.' I am too well acquainted, my lords, with his majeſty, to think him capable of giving ſuch an anſwer---nor could he do it, with propriety, either in his regal or perſonal capacity. I muſt beg your patience, my lords, to conſider this a little more attentively: Firſt, '*diſreſpectful to himſelf.*' How is a king to know this? Is he a judge what is diſreſpectful to him? No, my lords; the laws are to determine this for him, the juſt interpreters of offences. '*Injurious to my parliament!*' How injurious to parliament? when the very nature or part of the petition refers to that freedom of election in the people, by which *they* became a houſe of judicature. '*Irreconcileable to the principles of the conſtitution,*' when the very eſſence of the conſtitution not only *permits* but *requires* petitioning the throne, and what the *Stuarts* never dared to prevent in the zenith of their power. I repeat again, my lords, the king could never give ſuch an anſwer from himſelf; and indeed, my lords, poor as my opinion is of adminiſtration, I can hardly think it was a *joint official* advice, but the opinion of *one*, or a *confidential few*:—For it is impoſſible, but, if there were many who were conſulted upon this meaſure, ſome of them muſt ſee the abſurdity of it.

"When

"When I mentioned the livery of London, I thought I saw a sneer upon some faces; but let me tell you, my lords, though I have the honour to sit in this house, as a peer of the realm, coinciding with these honest citizens in opinion, I am proud of the honour of associating my name with theirs. And let me tell the noblest of you all, it would be an honour to you. The livery of London, my lords, were respectable long before the reformation: The lord mayor of London was a *principal* among the twenty-five barons who received magna charta from king John, and they have ever since been considered to have a principal weight in all the affairs of government. How then have these respectable characters been treated? they have been sent away *sore afflicted* from his majesty's presence, and reprimanded for pursuing their undoubted rights."

The motion was negatived.

On the fourteenth of May, lord Chatham made a motion for an address to the king, to desire he would dissolve the present parliament. He stated the public discontents in England, Ireland, and America; affirmed that the people had no confidence in the present house of commons, who had betrayed their trust; and showed, from the situation of public affairs, the great necessity of having a parliament in whom the people could place a proper confidence; instead of depriving a county of its representative, he said that one or more members ought to be added to the representation of the counties; in order to operate as a balance, against the weight of the several corrupt and venal boroughs, which perhaps could not be lopped off entirely, without the hazard of a public convulsion. This was no crude suggestion: He repeated it afterwards in a letter to lord Temple; and as his opinion on this subject has been doubted, it will not be improper to state, in a note, the public use that was made of this letter *. All arguments were in vain. The court lords called for *the question! the question!* and put a negative upon it.

* See note [C] at the end of the volume.

Though the cogent arguments of lord Chatham made but little impreſſion upon the court lords, who put a rude negative upon almoſt all theſe patriotic motions, yet he had the ſatisfaction to perceive his conduct, during the whole of this intereſting ſeſſion, highly acceptable to the nation. On the 1ſt of June a committee, delegated by the city of London, waited on his lordſhip with a vote of thanks, for the zeal he had ſhown in ſupport of thoſe invaluable and ſacred privileges, the right of election, and the right of petition, as well as for the wiſhes expreſſed by his lordſhip, that parliaments might be reſtored to their original purity by ſhortening their duration, and eſtabliſhing a fuller and more equal repreſentation. All the efforts, however, of this nobleman were ineffectual, towards reinſtating him in the poſſeſſion of his former envied and ſplendid height of popular affection and favour.

In the houſe of commons lord North, in the former part of the ſeſſion, as one of the firſt acts of his adminiſtration, had moved the repeal of the obnoxious duties of the year 1767, *excepting the duty on tea*, which was intentionally omitted, on the avowed principle of aſſerting the ſupremacy of Great Britain over America; and when ſtrongly urged by the members in oppoſition, both of the Rockingham and Grenville parties, not to preſerve the contention when he relinquiſhed the revenue, his language breathed only anger and reſentment. "Has the repeal of the ſtamp-act," ſaid the miniſter, "taught the Americans obedience? Has our lenity inſpired them with moderation? Can it be proper, while they deny our legal power to tax them, to acquieſce in the argument of illegality? and, by the repeal of the law, give up the power? No:—The proper time to exert our right of taxation is when the right is refuſed. To temporize is to yield; and the authority of the mother-country, if it is now unſupported, will in reality be relinquiſhed for ever. A total repeal cannot be thought of, till *America is proſtrate at our feet*."

Such were the political axioms which poſterity will be amazed to learn paſſed for wiſdom under the reign of George

George the Third. Even conceſſion was combined with inſolence; and a feeble effort to regain the affections of the American colonies was converted, by an unaccountable infatuation, into an unpardonable inſult to her feelings. In vain was it urged that the repeal of the ſtamp-act *had*, in fact, produced all the happy effects which had been expected by its advocates; that lenity on the part of Britain had produced moderation on that of America, and that the ſubſequent diſcontents or violences had ariſen from ſubſequent provocations. "If the aſſertion of an abſtract claim of right," ſaid the members in oppoſition, "be of ſuch mighty importance, a poſitive law already exiſts declaratory of the right—a law in which America ſilently acquieſces; but an attempt in any mode to carry this right into practice, will be productive of nothing but civil confuſion and interminable diſcord." Theſe arguments made no impreſſion on the phalanx of courtiers and king's friends, who were nevertheleſs compelled on this occaſion to exert their full ſtrength; the miniſterial majority on the diviſion in a full houſe being only ſixty-two.

The efforts made to reſcind the former determination upon the proceedings of the Middleſex election were not leſs ſtrenuous than thoſe made in the upper houſe, which we have already related at large, and met with the ſame fate.

A motion was made (as we have already intimated) and paſſed in the houſe of lords, "That any reſolution, directly or indirectly impeaching a judgment of the houſe of commons, in a matter where their juriſdiction is competent and concluſive, would be a violation of the conſtitutional right of the commons, tends to make a breach between the two houſes of parliament, and leads to general confuſion." Forty-two lords proteſted againſt this motion, pledging themſelves to the public, that they would avail themſelves, as far as poſſible, of every right, and every power, with which the conſtitution had armed them for the good of the whole, in order to obtain full relief for the injured electors of Great Britain.

On the 19th of May the ſeſſion of the Engliſh parliament concluded.

The Iriſh parliament, in the courſe of the preſent year, had gratified the wiſhes of the court, by conſenting to raiſe the eſtabliſhment of troops in that country from twelve to fifteen thouſand men. But an incident occurred in the courſe of the ſeſſion, which ſerved to diſplay, in a ſtriking point of view, their riſing ſpirit of independency. By the famous law paſſed in the reign of Henry the Seventh, under the adminiſtration of ſir Edward Poyning, and thence denominated Poyning's law, it was enacted, "That the lord lieutenant and council ſhould, under the great ſeal of Ireland, certify to the king and Engliſh privy council the laws propoſed to be paſſed in each ſucceeding parliament, in order to have the ſanction of the great-ſeal of England, previous to their being ſubmitted to the Iriſh parliament for its aſſent or diſſent." The rigour of this law, which had ever been regarded as the chief bond of the conſtitutional dependance of that kingdom, was in modern times mitigated by the practice of introducing *heads of a bill* into the Iriſh parliament, in order, when the approbation of that aſſembly was obtained, to be tranſmitted to England under the uſual forms.

At this period a money-bill, originating in the uſual and eſtabliſhed mode, being returned from England under the ſeal of Great Britain, was rejected by the Iriſh houſe of commons, under the plea that it did not originate in that houſe. In juſtification of this proceeding, they maintained that Poyning's law, and the other ſubſequent ſtatutes by which that law was modified and enforced, made no ſpecific mention of money-bills, which might therefore, by a juſt inference, be ſuppoſed excepted: That if the origination of money-bills were not in reality the right of the commons, this muſt at leaſt be admitted to be the better and more conſtitutional mode; and that by rejecting this bill they exerciſed an indubitable right, even ſuppoſing the right of the council to originate the bill be equally indiſputable. The lord lieutenant, lord Townſhend, though he thought proper to allow the Iriſh par-

parliament to grant their own money their own way, protested against the right claimed by the house of commons, and endeavoured, but in vain, to enter his protest upon their journals. The house would not permit a violation of their privileges; but the lords were found less inflexible, and, after much opposition and debate, his excellency's protest was solemnly recorded on the journals of the peerage. The Irish parliament was immediately prorogued in anger, and with much inconvenience to the public; and these proceedings becoming the subject of serious discussion in England, it was moved in the British house of commons, that the instructions in consequence of which the parliament of Ireland had been prorogued, should be laid before the house; but this was negatived by a great majority.

A third address was presented to the king, soon after the rising of parliament, by the city of London, in which they lament the heavy displeasure under which they had fallen with his majesty, in consequence of the sentiments expressed in their late petition and remonstrance, to which they nevertheless inform his majesty they still adhered; and they again renewed their prayer for the dissolution of the parliament. His majesty in answer declared, That he should have been wanting to the public, as well as to himself, had he not expressed his dissatisfaction at their late address; and that he should ill deserve to be considered as the father of his people, could he suffer himself to be prevailed upon to make an use of his prerogative in such a manner as was inconsistent with the interest, and dangerous to the constitution, of the kingdom.

The lord mayor, Beckford, who presented the petition, a man of an undaunted spirit and much democratic pride, demanded leave to *answer the king*. In the momentary confusion which this demand occasioned permission was granted; and, with great composure and presence of mind, he delivered an address in the following words:

"Most

" Moſt gracious Sovereign,

" Will your majeſty be pleaſed ſo far to condeſcend, as to permit the mayor of your loyal city of London to declare in your royal preſence, on behalf of his fellow-citizens, how much the bare apprehenſion of your majeſty's diſpleaſure would, at all times, affect their minds; the declaration of that diſpleaſure has already filled them with inexpreſſible anxiety, and with the deepeſt affliction.

" Permit me, ſire, to aſſure your majeſty, that your majeſty has not in all your dominions any ſubjects more faithful, more dutiful, or more affectionate to your majeſty's perſon and family, or more ready to ſacrifice their lives and fortunes in the maintenance of the true honour and dignity of your crown.

" We do, therefore, with the greateſt humility and ſubmiſſion, moſt earneſtly ſupplicate your majeſty, that you will not diſmiſs us from your preſence without expreſſing a more favourable opinion of your faithful citizens, and without ſome comfort, without ſome proſpect, at leaſt, of redreſs.

" Permit me, ſire, further to obſerve, that whoever has already dared, or ſhall hereafter endeavour by falſe inſinuations and ſuggeſtions, to alienate your majeſty's affections from your loyal ſubjects in general, and from the city of London in particular, and to withdraw your confidence to and regard for your people, *is an enemy to your majeſty's perſon and family, a violator of the public peace, and a betrayer of our happy conſtitution as it was eſtabliſhed at the glorious and neceſſary revolution.*"

This addreſs was at the time conſidered as an extempore effuſion, and as ſuch conferred infinite credit on the ſpeaker, whoſe efforts in parliament were not ſuch as to induce the public to expect ſo ſplendid an exertion. Time, which alone throws light upon public tranſactions, has cleared up this difficulty, as well as others; and it has been confidently aſſerted, that the addreſs in queſtion was the production of a man of undoubted talents, Mr. Horne Tooke, and committed to memory for the occaſion by the lord-mayor.

The

BARLOW. VOL. I. p. 242.
The Lord Mayor (Beckford) answering the King, on presenting the City address.

Engraved for J. Parsons, 21, Paternoster Row. April 1795.

The king, who was accuſed of the incredible indecorum of *laughing* at the former addreſs, now reddened with anger and aſtoniſhment, and remained in profound ſilence; but when the lord mayor, a ſhort time afterwards, went to St. James's with the cuſtomary congratulation on the birth of a princeſs, he was informed, "That as his lordſhip thought fit to ſpeak to his majeſty after his anſwer to the late remonſtrance, as it was unuſual, his majeſty deſired that nothing of the kind might happen for the future."

The preſent receſs of parliament will be embraced as a proper opportunity of giving a ſketch of the ſtate of Europe for the year 1770.

The great ſucceſſes of the Ruſſians in the two laſt campaigns, though flattering and brilliant, were not productive of thoſe immediate advantages, which would have attended conqueſts of the ſame nature in other parts of the world. The fertile and extenſive provinces between the Danube and the Nieſter, if they had been ſituated in the cultivated parts of Europe or Aſia, and ſubject only to the well-regulated rapine of a diſciplined army under an able general, would in themſelves have nearly provided for the ſupport of the war.

In the preſent inſtance, the conquered countries wereln ſo ruined a ſtate, that inſtead of contributing to defray the expenſes of the war, they could not ſupply the common articles of ſubſiſtence; and forage was the principal, if not the only aid, which they could afford to their defenders or aſſailants.

The Ruſſians muſt, however, derive great advantages in the future operations of war from this acceſſion of territory; and being in poſſeſſion of all the fortreſſes, and the Turks driven totally beyond the Danube, this ſtate of ſecurity, as well as that ariſing from the ſubmiſſion of the Budziac Tartars, muſt encourage the remaining natives to cultivate their lands and rebuild their houſes, and the fugitives to return to their country.

Though the Tartars of the Crim and Little Tartary, as well as thoſe of Oczacow, had hitherto continued firm in their attachment to the Porte, and had deſpiſed all the

offers

offers as well as threats, which had been uſed to detach them from it; yet it could ſcarcely be conceived by the appearance of affairs, that without the intervention of ſome other power, or ſome extraordinary and unexpected good fortune on the ſide of the Turks, they would be able to withſtand the power of Ruſſia for another campaign. The Turkiſh operations on the Danube can be conſidered as little more than a diverſion in their favour, and in the wretched ſtate of their marine, the ſupport by the Black Sea was neceſſarily weak and uncertain. Nor was any extraordinary defence to be expected from the fortreſs of Oczacow; ſingle and expoſed as it was without ſupport, and the dreadful fate of Bender before its eyes.

While the Ruſſians triumphed upon the Danube and the Nieſter; by their expedition to the Mediterranean, they ſeemed to have encloſed all Europe, from the bottom of the Baltic, to the Streights of the Dardanelles, within the line of their hoſtility. Extraordinary events are ſeldom brought about, without a ſingular concurrence of circumſtances to facilitate their execution; and it may perhaps be found, that moſt of the great revolutions which have taken place in the hiſtory of mankind, would have failed, if they had been attempted at any other time than that preciſe æra, which ſeemed calculated for their completion, and to have removed or ſmoothed every obſtacle to their ſucceſs. This expedition was one of thoſe remarkable events which could have as little taken place, as the attempt could have been believed or foreſeen, at any period of time prior to the preſent.

It had become the policy of the great European commercial powers, long before Ruſſia was miſtreſs of a ſhip, to ſuffer no new maritime ſtate to ſpring up amongſt them; nor did the antiquity of the republic of Genoa protect her from the jealouſy of Lewis the Fourteenth, when ſhe, who had before aſpired to be a rival for the commerce of the world, was reſtrained from building ſhips in her own docks; and even reſtricted as to the poſſeſſion of more than a ſpecified number. Arbitrary precedents of the ſame nature were not unknown in anti-

quity;

quity; and it is no wonder that the modern European ſtates, whoſe avidity for commerce, as ſoon as they had taſted her ſweets, was beyond all former example, and involved them in continual wars among themſelves for the ſhare they ſhould poſſeſs in her favour, ſhould eagerly convert ſuch precedents to their own advantage, and behold every new rival for it with the extremeſt jealouſy.

Peter the Great's efforts to create ſailors, were beheld with admiration as a novelty, and as the extraordinary attempts of an extraordinary man. His great ſhips and his land admirals were amuſing to himſelf and to others in the Baltic, and deſtructive to Sweden in the declining ſtate of that kingdom. Such a naval force as could be formed in ſuch a ſea, and locked up within it, was of little conſequence to the great commercial ſtates; and it was the ſtrict policy of theſe, as well as of later times, that it ſhould be confined to thoſe limits.

The particular jealouſy with which the Mediterranean powers have at all times regarded every intruſion on that ſea, which being ſurrounded by their dominions, they ſeem in ſome meaſure to conſider as their peculiar property, would, in any other circumſtances of public affairs, have proved an inſuperable bar to this enterpriſe. Nor was this attempt more repugnant to the principles adopted by the commercial ſtates, than it was to the general political ſyſtem of Europe, which had been ſo long and ſo eagerly purſued, and which to preſerve a due equilibrium is totally averſe to the making of great conqueſts, or to the formation of a new dominion. To all theſe ſtanding impediments to an attempt of this nature, may be added, the general dread entertained of the overgrown power of Ruſſia, and a conviction of the conſequences that have already enſued from that ſupreme aſcendant which ſhe had acquired, and which ſhe ſo arbitrarily diſplayed in all the affairs of the North.

Such, however, were the peculiar circumſtances of the preſent times, and ſuch the extraordinary fortune of the empreſs Catherine, that with a very moderate naval force, ill found and ill provided, and manned with raw and unexperienced ſailors, ſhe has ſent fire and ſword into the ſhores of Greece, and the iſles of the Archipelago.

Great Britain, indeed, beheld without uneaſineſs the aggrandizement of a power, in whoſe alliance ſhe abſurdly looked for a balance to the family compact. France did not chuſe to interfere in a quarrel which might bring into the Mediterranean an Engliſh, to the aid of a Ruſſian fleet. The diſtreſs which the Levant trade ſuffered was more felt by France than by Great Britain; and Great Britain profited more by the proſperity of the Ruſſian arms and empire, than ſhe ſuffered by a temporary ſuſpenſion of her commerce in that part of the world, where our dealings were not near ſo extenſive as thoſe of France. If the progreſs of the Ruſſian arms had met any check, it muſt have been owing to the intervention of Pruſſia and Auſtria: Neither of which powers could ſee, without a rational alarm, Ruſſia becoming the miſtreſs of Poland, and the total deſtroyer of the Turkiſh empire; out of whoſe ruins ſomething truly formidable may ariſe in time.

This Mediterranean expedition however hitherto anſwered more the purpoſe of damage to the enemy, than of direct benefit to Ruſſia. The paſſage of the Dardanelles had not been made good, nor did there ſeem any great probability, as it was not effected during the firſt ſurpriſe and confuſion, that it ſhould ſucceed, after the Turks had ſo long a time, under the conduct of able engineers, prepared for its defence. Neither had the Ruſſians been able to poſſeſs themſelves of an iſland or port in the Archipelago, of any conſequence, during the whole ſummer. This expedition, however, contributed to embarraſs and diſtract the councils of the Porte, to keep back ſome of their beſt troops and officers from the Danube, and by cutting off the ſupply of proviſions by ſea, to increaſe the tumults and diſorder at Conſtantinople. It is alſo probable that it encouraged, in a conſiderable degree, the rebellion that had broken out in Egypt.

None of theſe conſequences, except the deſtruction of the Turkiſh fleet, ſeem equivalent to the vaſt expenſes that attended it, and which at that time were ill adapted to the ſtate of the Ruſſian finances. It may

alſo perhaps be doubted, whether they have not been counterbalanced by the ruin and ſlaughter of the Greeks, who ſeemed by ſome fatality to be devoted to inevitable deſtruction, wherever the Ruſſians appeared in their favour.

This conſequence was however to have been expected, from the exceſſive ignorance of the Greeks, and the inability of the Ruſſians to ſupport them with effect. It does not indeed appear to have been good policy in Ruſſia to have made ſo fatal and uſeleſs a trial of the diſpoſition of theſe unhappy people. It was natural enough that they ſhould wiſh for a deliverance from their oppreſſors, and that, vain of their ancient national glory, they ſhould think themſelves poſſeſſed of the virtue of their anceſtors: Their ignorance of geography, of the ſtate of Europe, and even of the ability of Ruſſia to aſſiſt them, would ſufficiently account for any act of madneſs that they were capable of committing.

Upon the whole, this war placed the military character of Ruſſia in a very high point of view. And while their armies gained the greateſt honours in the field, their ſailors learned to traverſe new ſeas, and to navigate and fight under the direction of Engliſh officers. An admiral of our nation of high note, and of ſuperior knowledge in all the parts of his profeſſion, went into their ſervice; and under his tuition, and from his acknowledged judgment in the conſtruction of ſhips, their marine made a very reſpectable figure.

The Grand Signior bore with amazing firmneſs the heavy loſſes and misfortunes of the war; nor did his licentious ſoldiers, or tumultuous ſubjects, go to thoſe extremities, which paſt experience of their conduct would have given room to expect, under ſuch a ſeries of calamities. Neither did theſe mighty evils, nor the dangers with which he was ſurrounded, diſturb the equanimity of this prince's mind, or precipitate him, in the manner of his anceſtors, to acts of injuſtice, violence, and cruelty; on the contrary we ſaw, that with a lenity before unheard of at the Porte, the moſt unfortunate of his commanders (except in the ſingle inſtance of the capitan-

pacha or high admiral) not only escape with their lives, but without any other punishment than their removal to other departments, from those offices, in which they were unfortunate. The same moderation was observable to his Christian subjects; and notwithstanding the rebellion of the Greeks and the unheard-of violences and barbarities they committed, we heard of no vengeance that he took, either upon the persons or goods of their inoffending brethren. The villanies committed by the sailors and deserters, or the mischiefs occasioned by the rage of the populace in great cities, are out of the question; they being equally outrages to government as to the sufferers, and, as such, severely punished at different times. Such enormities, in less trying and less heating circumstances, have been too often practised in countries where a more perfect form of government, and a purer religion, were boasted.

Whatever the consequences of the war might be, this prince did not depart from his proper dignity to avoid them; and if he had not confidence in some support with which the public were unacquainted, his constancy in this instance was truly remarkable. We find, notwithstanding the unparalleled losses of the present year, that he made every preparation to support the war, and to carry on the ensuing campaign with vigour; and it was rumoured that he intended to command the grand army in person.

The new grand vizir, Halil Bey, did not arrive at the camp near the Danube 'till the latter end of the year, though he had used the utmost expedition for that purpose, as the disorders committed by the Janizaries and other soldiers became every day more alarming. The restoring of any degree of order and subordination, among such licentious and mutinous troops, who had long indulged themselves in the most intolerable excesses, and had already massacred several of their principal officers, and were more disposed to sheath their swords in each others' breasts, than to face an enemy, presented such difficulties, as perhaps neither the courage nor abilities of the vizir could have surmounted, if he had not taken the prudent pre-

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caution, of being attended by fourſcore mules, loaded with gold and ſilver coin. A proper diſtribution of this money had however its effect, and enabled him, in ſome degree, to bring about a reformation that was ſo much wanted.

As the provinces of Moldavia and Walachia were objects of the greateſt importance to the Porte, the vizir determined, if poſſible, to profit during the winter, of the diſtance of general Romanzow's army, and however contrary to the genius of his troops, to triumph for once over the inclemency of the ſeaſon. This project was the more capable of ſucceſs, as the Turks were not only maſters of the Danube, but were ſtill poſſeſſed of Ibrailow, and ſome other fortreſſes in Walachia. The deſign was worthy of a commander, and if it had ſucceeded to its full extent, the vizir would have had the honour to have retrieved during the winter, the fatal miſcarriages of Moldovangi Ali Pacha, and the campaign would again have been opened on the banks of the Nieſter.

In conſequence of this determination, the Ruſſians, who were ſtationed in the conquered provinces, found that neither the ſeaſon, nor the ſucceſſes of the late campaign, were ſufficient to procure them reſt or ſafety in their quarters. A continued and cruel war was carried on during the long enſuing winter and ſpring, in which a number of ſmall but bloody engagements were fought, of which we have but few particulars, and thoſe that are given very imperfect, and contradictory in every circumſtance of place, time, and event.

Upon the whole, theſe actions were not productive of any conſequences of great moment; at the ſame time that they were attended with the loſs of a great number of men, and the troops were haraſſed and ruined on both ſides. The Ruſſians were in general ſucceſsful in the field; which indeed may be concluded, as well from the ſucceeding, as the preceding fortune and conduct of the war. Thus the grand vizir's deſign did not take place in its full extent, which was to drive the Ruſſians beyond the Nieſter, and make that river, ſo far as the fortreſs of

Choczim would admit, once more the line between the two armies at the opening of the campaign: It however ſucceeded in part, and if every thing elſe had been equal between them, the conſequences might have been very conſiderable; having it in his power to throw freſh troops whenever he pleaſed over the Danube, he not only removed the enemy totally from the borders of that river; but he by degrees ſo ſtreightened them in their quarters, and they were ſo weakened by fatigue and the continued loſs of men, that he recovered the whole province of Walachia, and the lower part of Moldavia, and thereby opened the communication again by land, with Beſſarabia and the Tartars.

In the mean time the country preſented a ſcene of the moſt dreadful deſolation; every thing was deſtroyed; ſuch of the wretched inhabitants, as had not the fortune to eſcape to the neighbouring countries, naked and deſtitute of every thing, became either ſlaves to the Tartars, or victims to the revenge and fury of the Turks. At length, having completed the reduction of the province, the vizir appointed Monalechi, a Greek of great courage and ability, to be Hoſpodar of it, in the room of Gregorio Giko, who was then at Peterſburgh, and was charged with betraying the country to the Ruſſians. The Turkiſh revenge being alſo ſated, it was too late conſidered, that a country without inhabitants could be of little uſe to the poſſeſſor, and the vizir iſſued an ineffectual proclamation, to aſſure the Greeks of protection, and to encourage the fugitives to return to their country.

The Ruſſian generals were not much more at eaſe, though in ſervice of leſs danger, who were employed during the winter upon the long-extended frontier of Poland and the Ukraine, than thoſe who were ſtationed in the Danubian provinces. Here the Tartars renewed their cuſtomary ravages, and though theſe incurſions were attended with various ſucceſs, and they were ſometimes ſeverely chaſtiſed, their route, whether victors or vanquiſhed, is generally fatal to the inhabitants of the countries through which they paſs.

The Ruſſian troops diſperſed in different parts of Poland, were as fully employed by the confederates, who ſeemed to increaſe in courage and boldneſs, if not in numbers, by their continued loſſes. Thus the army under the command of general Romanzow on the banks of the Nieſter, was the only part of the Ruſſian forces, that could enjoy any reſt during the winter, and that was exempt from the fatigues and dangers of the war.

Great preparations were made on both ſides for the opening of the campaign; and the Porte ſeemed to ſtrain every nerve to retrieve its paſt loſſes. It was reported that the grand vizir's army would have amounted to two hundred thouſand men; and it is probable that if the Tartars are included as a part of it, and the different detachments taken in, it might not fall ſhort of that number. It was however very ſickly; malignant fevers of the moſt dangerous kind, which finally terminated in the plague, having through the whole courſe of the year made a dreadful havock in it. The war in the Morea contributed to leſſen its numbers conſiderably, and its force much more, as the Albanians and Epirots, who were employed upon that ſervice, are among the braveſt ſoldiers in the Turkiſh empire.

The campaign, from the deſolate ſtate of the adjoining countries, could not be opened early on either ſide, and it was not till the end of May that general Romanzow's army had paſſed the Nieſter, near Choczim, though there was no enemy in that quarter to impede his progreſs. The greater part of the grand vizir's army alſo croſſed the Danube, in the beginning of June, and it was computed that in that month there were above 300,000 combatants mortally bent upon each others' deſtruction, encloſed in the provinces of Moldavia, Walachia, and Beſſarabia.

Theſe three provinces, along with Tranſylvania, formed much the greateſt and moſt conſiderable part of the ancient Dacia. They lie between the 43d and 48th degrees of latitude, and are defended on three ſides, by the Nieſter, the Black Sea, and the Danube; the former on the north ſeparates Moldavia and Beſſarabia from Poland

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and Little Tartary, the Black Sea is the boundary on the eaſt, and the Danube ſhuts in Walachia, from Bulgaria and Servia on the ſouth; Tranſylvania and the Bannat of Temeſwar, form the weſtern boundary. Theſe countries, whether we conſider the happineſs of the climate, the extraordinary fertility in general of the ſoil, or the excellency of the products, are perhaps equal to any, and are certainly ſuperior to moſt in Europe. From the ſurpriſing luxuriancy of their paſtures, which are ſcarcely to be paralleled in any part of the world, they produced, beſides admirable horſes, almoſt incredible numbers of excellent oxen and ſheep, with which, notwithſtanding the repeated calamities they have undergone, they have long ſupported the markets of Conſtantinople. Their other products in corn, wine, oil, honey, and wax, beſides a great variety of mines, were, in a ſtate of culture, equal to thoſe we have already mentioned. The people were calculated to enjoy theſe bleſſings, being able-bodied, brave, and warlike. Their power was ſuch, that notwithſtanding their groaning under a cruel and execrable domeſtic government, the prince of Walachia, a few centuries ago, was able, at a ſhort notice, to bring from that province only, 70,000 men into the field againſt the Turks.

All theſe advantages were inſufficient to protect them againſt ſiniſter events. The primary cauſe of their ruin, was the cruel and arbitrary conduct of their deſpots: The bad neighbourhood of the Germans and Turks, equally inſidious and oppreſſive in their deſigns, and ever watchful to take an advantage of their diſſenſions, precipitated their deſtruction; the wretched policy, and cruel government of the Porte, completed it. Thus have theſe fine countries been reduced to little better than a deſert; and ſuch are the unhappy effects of a cruel and deſpotic government, to render vain all the bounties of nature, and to make the fineſt parts of the globe, equally ſterile and inhoſpitable with its moſt barren mountains.

General Romanzow, after croſſing the Nieſter, moved very ſlowly towards the Pruth: Both theſe rivers riſe in Poland, and hold a parallel courſe, running from the north-

north-weſt to the ſouth-eaſt; the latter enters Moldavia above Choczim, where it cuts its way through the Carpathian mountains, which fill up the narrow country between the rivers, that are not here above twenty miles aſunder, and form the dangerous defiles, called the ſtreights of Tſchernantza, or Precop, celebrated in hiſtory for the number of remarkable battles that have been fought in their vicinity. The Pruth runs the whole length of Moldavia, which it divides into two parts, the country between the rivers growing continually wider, from its parting the mountains to near its confluence with the Danube, where they are near 200 miles aſunder, and include the whole province of Beſſarabia between them.

The Ruſſian army firſt directed its courſe to Jaſſy the capital of Moldavia, ſituated on the Pruth, above 100 miles to the ſouth-eaſt of Choczim; a great part of the intermediate country is naturally a deſert, being totally deſtitute of water, ſo that they were obliged to carry that article, as well as every other ſpecies of proviſion, along with them. The operations of a war in thoſe regions muſt ſeem very ſtrange to ſuch as have been only acquainted with that art in the cultivated parts of Europe. It appears that in the campaigns made by count Munich, during the war of the year 1736, that general found a neceſſity of conſtantly employing 90,000 waggons for the ſupply of an army, which never exceeded, but was generally much under 80,000 men. For the protection of this enormous train of carriages, the army muſt be thrown into ſeveral large diviſions, which are formed into great ſquares, in the centre of which the proviſions and baggage are placed, and in this order they are obliged to march; a method of ſecurity that could only be adopted in thoſe boundleſs and level plains, which create the neceſſity.

Such impediments eaſily account for the ſlowneſs of general Romanzow's motions, which were probably guided at the ſame time by thoſe of count Panin, who was marching along the Nieſter with a train of heavy artillery, and all the other apparatus neceſſary to form the

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siege of Bender. Several great detachments from the hostile armies were also contending for the possession of the country which lies between the Moldau, the Pruth, and the Sereth; in the course of which several engagements had happened, and more than one of the Russian generals were said to have been roughly treated. These events, though so obscurely and imperfectly told as not to admit of a detail, and afterwards totally absorbed in the glare of success that followed, had probably an influence on the conduct of the grand army, as it is not otherwise easy to account, how it should have spent near a month after its departure from Choczim, without an enemy, that we have any account of being in the way, in advancing less than 200 miles.

However this was, general Romanzow having left Jassy to the right, advanced along the course of the Pruth, till he arrived at that part of the river, which, so far as we can comprehend the account, seems to have been nearly parallel to Bender; from which it was distant about 120 miles. In the mean time a considerable army of Turks and Tartars marched along on the same side of the river to meet them. When the two armies came in sight (June 25th), the Turks immediately, and with great judgment, changed their position, and took possession of a most advantageous camp, which they as suddenly fortified in the strongest manner.

This army was commanded by Capian Ghieri, Kan of the Crimea; a mark to him of the greatest honour, and of uncommon confidence in the Porte; for as these Kans are heirs to the empire, in failure of issue in the Ottoman line, it has been the constant policy of that family, not to entrust them with the supreme command of a Turkish army. This prince had three bashas under his command, and the army was said to consist of about 80,000 men. The ground on which they encamped, was a steep, rocky, and almost inaccessible eminence, which the Russian account calls a mountain, covered on one side by the Pruth, and on the other by the little river Larga.

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This camp was ſo well choſen, and the ground ſo difficult, that notwithſtanding the repeated efforts of general Romanzow to bring on an engagement, it was above three weeks before he could hazard a general attack. The Turks not being inured to that ſtrict diſcipline, nor tempered by that long ſervice, which enables veteran ſoldiers to bear with patience the ſight and continued inſults of an enemy, twenty thouſand of their braveſt partizans deſcended from their ſtrong camp, and attacked the Ruſſians with great reſolution; but were repulſed, and beaten back to their camp with conſiderable loſs.

At length, ſome difficulties having been probably removed, or ſome favourable circumſtances occurred, with which we are not acquainted, the Ruſſians, three days after this engagement (July 18th), mounted the hills at the dawn of the morning, where they found four great and ſtrong entrenchments, covered with a numerous artillery; theſe they attacked with great reſolution, and met with as obſtinate a defence. The Ruſſians however triumphed over all oppoſition, and beat them ſucceſſively out of the four entrenchments, after which the Turks abandoned their camp, and fled in the greateſt diſorder. The victors became poſſeſſed of a great booty upon this occaſion, beſides thirty-eight pieces of braſs cannon, and ſeveral other trophies.

The victory at the river Larga was only a prelude to, and contributed to accelerate one much greater: Which at the ſame time that it does the greateſt honour to the military abilities of general Romanzow, eſtabliſhes the infinite ſuperiority of the Ruſſian troops beyond a doubt; and evinces almoſt to a demonſtration, that in the preſent ſtyle of arms and diſcipline among the Turks, there is ſcarce a poſſibility of their being able to cope with them.

The Kan of the Tartars having retreated towards the Danube, the grand vizir thought proper to croſs that river at Iſatſka, at the head of the grand army to ſupport him. General Romanzow in the mean time purſued his march along the Pruth, towards its confluence

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with the Danube. The two armies came in ſight of each other in the evening, and at eight o'clock the Turks encamped at about four miles diſtance from the Ruſſians, both armies lying between the Pruth and the river Cahul. The Tartars formed a ſeparate corps on the left of the Ruſſians, but afterwards ſpread themſelves in their rear, to cut off a great detachment which general Romanzow had made for the eſcort of a convoy of proviſions. In certain ſituations boldneſs is prudence; it is in theſe that great genius is diſtinguiſhed from common abilities; the preſent was one of them, and general Romanzow did not want diſcernment to perceive it. A more cautious commander might have heſitated till he had loſt his army.

The Ruſſian army was greatly weakened by making this detachment; and the inequality of numbers was ſuch, as in common caſes would have made it inexcuſable to have riſked a battle. The general however, having duly weighed the goodneſs of his troops, the confidence with which they were inſpired from a long courſe of ſucceſs, and the conſequences that might reſult from the dangerous deſign formed by the Tartars, reſolved boldly to attack the enemy next morning. The Ruſſian army was accordingly in motion before light, and began its march at the break of day. An unexpected incident which took place in the night, would have ſtaggered a mind of leſs firmneſs, and damped the courage of any but veteran troops. As ſoon as the morning had cleared up, the general perceived to his great aſtoniſhment, that the Turks, notwithſtanding their prodigious numbers, and the daring countenance they bore in the evening, had fortified their camp during the night with no leſs than three great and ſtrong entrenchments, ſuperior to thoſe which he had lately forced in the Kan's camp, and defended by a hoſt, which, as to number and appearance, ſhould have deſpiſed any other protection than what their arms and their valour gave them.

The die was however caſt, and the general bravely perſevered in his reſolution. His ſituation was truly critical, for a defeat muſt have been attended with the

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total loſs of the army; nor would count Panin have found it eaſy, in that caſe, to have retired in ſafety from Bender, even with the loſs of his artillery and ſtores. In a word, the whole fate of the war ſeemed to hang upon this day (Auguſt 2d).

The Turks did not however wait to be attacked in their entrenchments; theſe were only intended as the laſt reſort; and the Ruſſians found themſelves almoſt ſurrounded, at a conſiderable diſtance from the camp, by ſeveral large bodies of troops, who attacked them in front and flank with the greateſt bravery. A deſperate engagement enſued, in which the cloſe order and excellent diſcipline of the Ruſſians ſtill prevailed, and they continually gained ground on the enemy. As they advanced nearer the entrenchments, which were covered with a prodigious artillery, the battle grew every inſtant more terrible; at length the grand vizir made a ſally in perſon, at the head of the janizaries and all the braveſt troops in the army. The conflict now became dreadful, and was ſupported with the moſt determined reſolution and obſtinacy on both ſides. After a continued fire of artillery and ſmall arms, which laſted for five hours without intermiſſion, the Ruſſians, by the united force of their bayonets, penetrated to the firſt entrenchment, which they carried by a deſperate aſſault.

A pauſe then enſued, which was only preparatory to a new engagement, between the entrenchments, if poſſible more furious than the firſt. In this the Turks uſed every poſſible effort to retrieve the fortune of the day; one body ſtill coming on, and renewing the engagement with freſh ardour, as another was defeated. At length ſeeing that the braveſt corps of their janizaries, and all the other beſt bodies of their infantry, were ſucceſſively defeated, and unable to withſtand the cloſeneſs of the Ruſſian array, the continued weight of their fire, and the irreſiſtible force of their bayonets, they loſt all hope and courage, and the ſecond and third entrenchments were ſucceſſively carried. The rout then became general; and the grand vizir ſeeing every thing loſt, made the beſt of his way, together with his principal officers

and the celebrated count Potocki, to the Danube, which was about twenty miles from the field of battle.

The whole camp, tents, equipage, a vaſt quantity of ammunition, 143 pieces of braſs cannon, and above 7000 carriages loaded with proviſions, became a prey to the conquerors. The fugitives were purſued to the Danube, where the crowds were ſo great as to render the paſſage very difficult and dangerous, and ſome bodies of horſe, it is ſaid, were obliged to ſwim over; others croſſed the Pruth, and directed their courſe to Ibrailow, and other parts of Walachia. It is ſaid that above 7000 Turks were killed on the field of battle, and that the roads to the Danube were covered with dead bodies; a great number of priſoners, among whom were many of conſiderable rank, were alſo taken. Some accounts make the loſs amount to 40,000 men, and ſay that the grand vizir's army conſiſted of 150,000: General Romanzow, in his official letter, did not ſtate the numbers that engaged, nor the loſs on either ſide; he however noticed particularly the great inferiority of his own army. The loſs of men in ſuch a battle muſt undoubtedly be very great, and in its conſequences much greater.

Nothing could be more deciſive than this battle, nor more glorious to general Romanzow and to the troops that he commanded. It might be ſaid in the language of poetry, that the genius of Ruſſia particularly predominated upon this occaſion, and had choſen the Pruth as the ſcene of victory, to wipe off the diſgrace which Peter the Great had formerly met with on the banks of that river. The general acknowledged in his letter to the empreſs, that the Turks behaved with great bravery, and added that the Ruſſians were never engaged in any battle that was more obſtinately diſputed. The great ſuperiority of the Ruſſians may be attributed, to their quickneſs and dexterity in the management of the artillery, in which they are particularly excellent, and ſcarcely rivalled by any other nation, to the conſtant and regular fire of their ſmall arms, in which the Turks are very deficient, and to their charging with ſcrewed

bayonets,

bayonets, againſt which the ſabre can ſcarcely be conſidered as a weapon. In other reſpects, there ſeems to have been no fault in the conduct of the Turkiſh generals; and it is evident that there was no want of reſolution in their troops.

The Tartars had engaged the convoy without ſucceſs during the battle, the event of which perhaps had an effect upon their conduct; they were however totally ſeparated from the Turkiſh army, and being at a great diſtance from the Crimea, and the Ruſſians in poſſeſſion of the intermediate countries, it was a long time before they could make their way home, after having been reduced to great ſtraits, and ſuffering very conſiderable loſſes.

The affairs of France at this period alſo attracted much attention. Among many other charges brought againſt the duke d'Aiguillon by the parliament of Britanny, thoſe relative to the perſecution which he carried on for four years with unremitting vengeance, againſt the celebrated and unfortunate M. de Chalotais, their attorney-general, were the moſt affecting to the public. This venerable gentleman was ſeventy-four years of age, and is deſcribed as a perſon, who for genius, learning, integrity, and goodneſs of heart, was an ornament to human nature. Theſe qualities made him the more ſenſible to the maladminiſtration of the duke of Aiguillon, and urged him with all the reſolution, as well as indignation of a virtuous magiſtrate, to exert himſelf to the utmoſt in oppoſition to it. The conſequence was natural, from ſuch a man as the governor is repreſented to be: He had great intereſt at court, which he made effectual uſe of for the removal of M. Chalotais; and miſrepreſented his conduct in ſuch a manner, as to procure an order for his baniſhment.

Thus, at the age of ſeventy and upwards, was a worthy man torn from all the eaſe and comfort neceſſary at that time of life; from the aids of friendſhip, the pleaſures of ſociety, and the endearing connexions of blood and family; to be dragged about from priſon to priſon, from dungeon to dungeon, only for daring to be honeſt, and for fulfilling his duty to God and his country. In

this ſituation, we find facts of ſo horrid a nature, that if they had not compoſed a part of the charge, which was brought and ſupported by the parliament, we ſhould not have thought proper to mention them; obſerving at the ſame time, that we do not vouch for their authenticity, but relate them as charges not yet refuted. Ineffectual attempts having been made to take away the life of Monſieur de Chalotais with poiſon; the unhappy ſufferer was at length ſent to the caſtle of Morlaix, where, by the ſubornation of falſe witneſſes, and the management of ſome profligate creatures (whom his enemies had appointed to be his judges), a pretended form of trial was hurried through, and a ſentence as ſpeedily as privately paſſed for his execution.

At this critical period, when every thing ſeemed haſtening to a fatal concluſion, the parliament of Britanny had the fortune to obtain ſuch lights, as enabled them to develope ſome of the moſt hidden parts of this complicated ſcene of iniquity; which they immediately laid before the duke de Choiſeul, who with great humanity interfered, and his order in favour of M. de Chalotais arrived time enough at Morlaix to ſtay the hand of the executioner; the ſcaffold having been then juſt finiſhed in the caſtle.

The parliament having obtained what it deemed ſufficient proofs againſt the duke d'Aiguillon, his trial commenced in the preſence of the king at Verſailles, in the month of April; the princes of the blood and the peers, amounting to about ſixty, and the parliament of Paris, of which they compoſe a part, being his proper judges; the proſecution was managed and carried on by the attorney-general of the parliament of Paris, aſſiſted by the attornies of the parliament of Britanny; the whole nation waiting in ſuſpenſe for the deciſion; while one of the parties, from his virtue and ſufferings, was as much the object of their love and admiration, as his enemy was of their utmoſt deteſtation and abhorrence. At this trial, the written proceedings carried on againſt M. de Chalotais in the caſtle of Morlaix, came of courſe to be laid before the king and peers, and it is ſaid, diſcloſed

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ſuch a ſcene of cruelty and iniquity, as not only juſtified the charges already made, but exceeded whatever could have been ſurmiſed.

In the midſt, however, of theſe proceedings, the king thought proper, by a violent exertion of power, to put a total ſtop to the due courſe of juſtice, and to all farther inquiries into the duke d'Aiguillon's conduct. He accordingly held a bed of juſtice (June 27th) at Verſailles, and obliged letters patent to be regiſtered in the preſence of all the princes and peers, by which a ſtop was put to the trial, the charges were ſuppreſſed, and all perſons prohibited from taking any farther notice of them.

Upon this occaſion, the duke of Orleans, firſt prince of the blood, told the chancellor in the king's preſence, that although he had not been bound by the reſolutions of parliament, in which he had before concurred; yet he could not, in conſcience, give an opinion where votes were not free, concerning letters patent, which were as contrary to the laws and maxims of the kingdom, as to the honour of the peerage. The king ſaid to the duke of Orleans, "In caſe that my parliament ſhould convoke the princes and peers, I forbid you to go to the houſe. I charge you to ſignify this to the other princes of the blood." To which the duke anſwered, "Sire, the other princes of the blood are here; this order will become your mouth much better than mine. Beſides, I beg to be excuſed." The king then turned to the other princes, and ſaid to them, "Gentlemen, you hear." To which the prince of Conti replied, "Yes, ſire, we hear ſomething very contrary to the rights of the peerage, and very little to the advantage of the duke d'Aiguillon."

Notwithſtanding the diſapprobation ſhown by the princes and peers, the king, as a proof of his entire ſatisfaction in the conduct of the duke d'Aiguillon, took him along with him on a party to Marli, immediately after this tranſaction. The royal countenance was not, however, ſufficient to protect him from the general indignation of the people, nor from the legal, though determined reſolution of the parliaments in their proceedings

againſt him. That of Paris immediately aſſembled (July 2d), and publiſhed a ſtrong arret, whereby the duke was forbid to take his ſeat again in parliament, or to exerciſe any of the functions of the peerage, till the blots upon his honour and character were wiped off by a legal trial. This arret was immediately ſucceeded by a counter one, paſſed by the king in council, which annulled that of the parliament; declared it to be an infringement of the royal authority, and commanded the duke to take his place among the peers.

This arret was followed by ſtrong repreſentations from the princes and peers, complaining not only of the illegal proceedings at the late bed of juſtice, which annihilated the undoubted rights, at the ſame time that it ſacrificed the honour of the peerage; but alſo of the king's arbitrary mandate, which forbade them to deliberate upon a ſubject, in which their moſt eſſential intereſts and moſt valuable privileges were involved. Repreſentations of the ſame nature were made by the parliament of Paris, who (July 10th) ſent a grand deputation of forty-two of their members to Verſailles, headed by the firſt preſident, to whom the king returned the following anſwer:

"After the decree you gave on the 2d of this month, which I have annulled, I ought not to liſten to your repreſentations: I will never permit any oppoſition to the execution of my letters patent, of the 27th of laſt month; and I forbid you, under the pains of diſobedience, to throw any obſtacle in the way of the duke d'Aiguillon's enjoyment of all the rights of peerage in your aſſembly." The peremptorineſs of this command had, however, no effect upon the conduct of the parliament; who, having met next day in full aſſembly, confirmed all their former decrees and reſolutions, and only deliberated what were the proper meaſures next to be taken in conſequence of it.

The other parliaments were not behind-hand in vigour or reſolution with that of Paris. They declared the late tranſactions to be illegal, and as ſubverſive of the king's authority, which was founded upon the laws, as they

were deſtructive to juſtice, and to the rights and privileges of the peerage and people.

Arret followed arret, from the parliaments of Bourdeaux and Toulouſe, by which the dutchy of Aiguillon was ſtripped of all the rights and privileges of peerage, until the duke ſhould be acquitted, by due courſe of law, of all the charges laid againſt him. The parliament of Rennes returned unopened the king's letters patent, which were ſent to annul one of their arrets. They alſo burnt by the common hangmen, two printed memorials in favour of the duke d'Aiguillon, which they declared to contain the moſt deteſtable tenets, totally ſubverſive of the conſtitution, of the rights, liberties, and franchiſes of the people; and founded upon principles that tend to overturn all legal government, and to looſen every band that unites mankind in a ſtate of ſociety.

The king's council being ſent to court by the parliament of Paris, to know what day it would pleaſe his majeſty to receive their remonſtrances, were anſwered by the chancellor, "That his majeſty would neither *ſee* nor *hear* his parliament." The council were however blamed, upon the aſſembling of the chambers to receive the report, for not delivering their meſſage perſonally to the king, and for accepting any anſwer from the chancellor.

A deputation of nineteen members from the parliament of Britanny, received leave to wait upon the king at Compeigne; but were forbidden to paſs through Paris, either going or coming back. (Auguſt 20th.) The king did not ſuffer them to ſpeak a ſentence, told them that his letters patent ſhould have impoſed a moſt abſolute ſilence on them; that their conduct was of too ſerious a nature to paſs unpuniſhed; but that he would content himſelf with puniſhing two of them, which he hoped would be ſufficient to keep the reſt to their duty. Two of the members were accordingly ſeized, and ſent priſoners to the caſtle of Vincennes.

Notwithſtanding the ill ſucceſs which had hitherto attended the parliament of Paris, in all its applications to the king, it ſtill perſevered in ſending repeated deputations

tions and remonſtrances to him, and though the ſeaſon of the year for their vacation was arrived, reſolved not to adjourn, while the laws and conſtitution of their country were in ſo critical a ſituation. At length the king arrived ſuddenly at Paris, (September 3d) in the morning, attended by his guards, who having immediately ſurrounded the parliament-houſe, he entered it, and held a bed of juſtice, at which it is ſaid he reproached the members in the ſevereſt terms; he then told the chambers of inqueſts and requeſts, that he had no need of them, and they might retire; after which all the decrees, acts, and proceedings againſt the duke d'Aiguillon, were called for and delivered, and ordered to be eraſed from their regiſters. The chancellor then made a ſpeech, in the king's name, in which he told them, among many other things, "That their example had been the principal cauſe of ſtill more irregular proceedings in ſome other parliaments; that the king now impoſed the moſt abſolute ſilence, and forbad all deliberations upon thoſe ſubjects: That he forewarned them, that he ſhould look upon all correſpondence with the other parliaments, as a criminal confederacy againſt his perſon and authority. He ordered all his firſt preſidents, and all other preſidents and officers of the parliament, who ſhould preſide in his abſence, to break up all aſſemblies, wherein any propoſal ſhould be made for deliberating upon objects, concerning which he had impoſed ſilence, as well as upon any letters or deſpatches they ſhould receive from other parliaments." Thus ended this extraordinary bed of juſtice; which had thrown the whole city of Paris into the utmoſt terror and diſmay; and which was farther increaſed, by the profound ſilence that had been commanded, and was for ſome time obſerved, in every thing relative to the tranſactions of this day.

The parliament however had reſolution enough to meet again, and iſſued an arret, in which they obſerved, ſpeaking of this matter, that the many acts of arbitrary power exerciſed againſt both the ſpirit and letter of the conſtitution of the French monarchy, and indeed againſt the ſolemn vow of the king, leave no room to doubt of a

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premeditated design to change the form of government: They however professed their firm intentions to persevere in carrying truth to the foot of the throne, and postponed the farther consideration of what passed at the late bed of justice, to the following December.

In the mean time violent measures were pursued with several of the other parliaments. The parliament of Britanny, besides the injuries it had already sustained, particularly in the loss of two of its members, carried off from the king's presence, though making part of a deputation that had the sanction of his leave for its protection, and whose situation seemed the more deplorable, as their fate was unknown, was now surprised by the intrusion of the count de Gayon, a major-general, who brought the king's letters patent for them to register, and an order to erase their own arrets. Though the parliament declared they could not deliberate in his presence, he notwithstanding refused to withdraw, upon which all the members quitted the house, except the first president, solicitor-general, and register, to whom he produced letters de cachet, and who were accordingly obliged to attend him till one in the morning, at which time the business was finished. The parliament however issued a very strong protest against this act of power, which they showed in the highest degree to be arbitrary and illegal, and declared it to be null and void in every part.

At Metz, marescha l d'Armentieres entered the parliament-house, at the head of eight companies of grenadiers, and after tearing to pieces an arret of theirs, banished several of their members to Vizoul; and at Besançon, the parliament having committed the king's attorney there into confinement, marescha l de Lorges went at the head of a detachment, forced open the prison, and set the attorney at liberty.

The parliament of Rouen, which has always had the honour to distinguish itself in support of liberty, against the despotic will of the monarch, without regard to these violences, with its usual spirit, prepared a very strong remonstrance; and in consequence of its breaking

breaking up, charged the court of vacation with its delivery; as well as with the uſing all poſſible means to further its intention. The court of aids in Paris did the ſame, and preſented it, but the king refuſed to hear or accept it. This remonſtrance was written with great energy, and, to the amazement as well as anger of the court, was printed and publiſhed the next day.

In the mean time an arret of the king's council of ſtate was iſſued, to annul the reſolutions of the parliament of Bourdeaux againſt the duke d'Aiguillon. In this arret, among ſeveral others, the following are laid down as maxims not to be controverted: "That the whole adminiſtration of the public power reſides in the king's perſon alone, and that he is accountable for that adminiſtration to God only; that it is from him alone that the magiſtrates hold their power; that they are, and can be nothing more than the officers of his majeſty, charged with the execution of his will; that if, for the good of his people, he grants them leave to repreſent to him what they think conducive to his ſervice, and advantageous to his ſubjects, it is their duty to do it only with the reſpect due to his ſacred perſon: That it is never allowed to oppoſe the execution of his orders, but only to make the moſt reſpectful repreſentations; and that when his majeſty does not think proper to condeſcend, obedience is a duty impoſed by all the laws; that his majeſty is ſole legiſlator in his kingdom, independent and undivided; that he alone has a right of putting the ancient laws in execution, of interpreting them, of aboliſhing them, and of making new ones."

CHAP. VI.

Fatal accident attending the rejoicings on the Dauphin's marriage—Trial between lord Groſvenor and the duke of Cumberland—Origin of the diſpute with Spain reſpecting Falkland Iſlands—Fire at Portſmouth dock-yard—Proceedings in parliament—Motion to addreſs for Spaniſh papers—Motion in the houſe of lords upon the Middleſex election—Motion for an inquiry into the conduct of judges in certain caſes—The motion rejected—The lord chief juſtice of the King's-bench gives notice for a call of the houſe—Difference between the houſes—Negotiations with Spain—Motion in the Commons to aſcertain the rights of election—Bill to prevent certain freemen of New Shoreham from voting—The liberty of the preſs—Meſſ. Croſby and Oliver ſent to the Tower—The ſeſſion ended—Some changes in miniſtry occaſioned by deaths—State of Europe—War between Ruſſia and the Porte—The parliament of Paris diſmiſſed.

[A. D. 1770, 1771.]

THE fatal cataſtrophe attending the rejoicings in Paris on the marriage of the dauphin, deſerves to be recorded as a uſeful leſſon to poſterity againſt the folly of inviting together immenſe multitudes of the unthinking populace, to be ſpectators of the idle exhibition of a childiſh and unmeaning vanity. On the 31ſt of May 1770, the grandeſt fireworks that have ever been diſplayed were exhibited in the Square of Louis XV. at Paris, in honour of the dauphin's marriage. It appears that the plan of the fireworks was ſo immenſe, that it exceeded the powers of the engineer to regulate all its parts, and to reſtrain its effects; and ſome of the apparatus having exceeded his intention, or being unexpectedly inflamed, threw ſheets of fire upon the ſpectators. The communications between the Place de Louis XV. and the Boulevards, which conſiſt of three ſtreets, were in a manner blocked up; that on the left hand, the Rue

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la Bonne Morne, being extremely narrow, was rendered impaſſable by the coaches; that on the right, called Rue St. Florentin, in which the count St. Florentin, ſecretary of ſtate, had his reſidence, and in whoſe department the care of the metropolis was, and by whoſe order the fireworks were exhibited, for the conveniency of himſelf and friends, his excellency would not permit the populace to paſs; and as this conſtituted the principal thoroughfare from the Place de Louis XV. where the fireworks were exhibited, to the Boulevards, there was only the middle ſtreet free for the foot paſſengers. The aſtoniſhing multitudes which had crowded to view the grand ſpectacle, ſeized with an inſtantaneous panic at the hurry and confuſion, for which the greater part of them were unable to account, endeavoured to eſcape through this narrow ſtreet, which they ſoon crowded in ſuch a manner as to render it impaſſable. The confuſion increaſed to ſuch a degree, that one trampled upon another, till the people lay proſtrate in heaps; ſome of thoſe who lay undermoſt, ſtabbed thoſe above them, in order to diſengage themſelves. The pickpockets and plunderers availed themſelves of the dreadful confuſion; and beſides the lives that were loſt, the moſt atrocious robberies were committed. To complete the ſcene of horror, a ſcaffold, erected near the palace of Bourbon, broke down with the over-weight of the ſpectators, and fell into the river. Above a hundred drowned perſons were taken up at St. Cloud, and many bodies were driven with the ſtream beyond that place. The number of the dead appears, by the beſt accounts, to have amounted in all to ſeven hundred and twelve, beſides many wounded and diſabled for the remainder of their lives. The humanity of the prince and princeſs on this melancholy occaſion was great and laudable. The dauphin, in the firſt tranſports of his ſorrow, diſtributed the whole of the money allotted for his month's expenſes towards the relief of the ſufferers, and in this act of generoſity he was followed by the dauphineſs. The old monarch, though neither remarkable for principle nor humanity, was alſo greatly affected, and iſſued orders

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that no expenſe might be ſpared to ſuccour and aſſiſt the ſufferers, and ordered 100,000 livres to be expended towards the relief of the unfortunate perſons who were maimed, or had loſt their relations, on that melancholy occaſion.

On the 4th of July this year, an action for damages againſt the duke of Cumberland was decided in the court of King's-bench before lord Mansfield; the plaintiff was lord Groſvenor, who ſued the royal duke for criminal converſation with lady Groſvenor his wife. After a great number of witneſſes were examined, Mr. Dunning, counſel for his royal highneſs the defendant, recapitulated moſt of the material parts of the evidence, and obſerved, that though the intimacy of the accuſed parties had been ſufficiently proved, not only by the witneſſes, but alſo by a variety of letters which paſſed between them, and which were read in court, yet that the plaintiff had not brought any proof of the criminal act, for which the action was laid.

At ſeven o'clock in the evening lord Mansfield gave his charge to the jury, and adjourned the court to his lordſhip's houſe in Bloomſbury-ſquare; at ten the jury left the hall, and proceeded to the judge's houſe, where they gave a verdict for the plaintiff, with ten thouſand pounds damages.

From the publication of the letters which the royal duke had written on this occaſion, the public conceived an opinion ſufficiently depreciating to his grace's reputation, both as to his natural talents and literary accompliſhments; and indeed no ſtronger proof could be exhibited of this obvious truth, that exalted capacities and exalted titles are by no means inſeparable.

As the diſpute between England and Spain relative to Falkland's Iſlands occupied a conſiderable ſhare of the attention of the enſuing ſeſſion of parliament, it becomes neceſſary to introduce the account of that ſeſſion by a narrative of the origin of that diſpute.

Theſe iſlands, conſiſting of two larger, and many of ſmaller ſize, divided by very deep interſections of water, are bleak, barren, and marſhy; expoſed, even during

the ſummer months, to ſtorms and tempeſts almoſt perpetual; and no regular ſettlement, in the ſpace of two hundred years which had elapſed ſince the firſt diſcovery of them, had been attempted by any European nation.

Lord Anſon, on his return from his famous voyage round the world, firſt obſerved, that the poſſeſſion of a port to the ſouthward of the Brazils would be of ſervice to navigators for the refitting of their ſhips, and providing them with neceſſaries previous to their paſſage through the Straits of Magellan, or the doubling of Cape Horn: And Falkland Iſlands were particularly ſpecified by him as well adapted to this purpoſe.

When his lordſhip was at the head of the admiralty, it was in contemplation to form a ſettlement on that ſpot. Strong remonſtrances againſt this deſign were however made by the court of Madrid, with whom the court of London was at that time very ſolicitous to maintain a good underſtanding, and the project was wiſely relinquiſhed. In the year 1764, however, under the ill-fated auſpices of Mr. Grenville, "every capital meaſure of whoſe adminiſtration," as lord Chatham juſtly obſerved, "was radically wrong," lord Egmont being then at the head of the admiralty, commodore Byron was ſent out to take poſſeſſion of theſe iſlands; and a ſettlement was made, and a ſmall fort erected in the vicinity of a commodious harbour, to which the name of Port Egmont was given.

It happened that, about the ſame time, a ſettlement had alſo been made, and a fortreſs erected, by the celebrated French navigator M. de Bougainville, on another of theſe iſlands to the eaſtward of the Engliſh ſettlement, under the name of St. Louis. But in conſequence of the repreſentations of the court of Madrid to that of Verſailles, this was in a ſhort time, by a generous policy, freely yielded to the Spaniards, who gave it the name of Port Solidad. It was well known that (Brazil and Surinam, countries long poſſeſſed by Portugal and Holland, excepted) Spain had always pretended to the abſolute and excluſive ſovereignty of the whole ſouthern

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continent of America, with the various iſlands on the coaſts and ſeas by which it is ſurrounded. The new ſettlement of the Engliſh, therefore, excited at the court of Madrid the higheſt alarm and uneaſineſs, not merely as an encroachment on the right of dominion, but becauſe it was evident that the principal inducement of England to form this ſettlement, muſt have been the facility with which it would enable it, in caſe of a future war between the two powers, to attack the Spaniſh territories bordering on the great South Sea.

The court of Madrid, therefore, made urgent remonſtrances to the court of London againſt this meaſure, which they conſidered as an encroachment both unjuſt and invidious; but theſe remonſtrances were ineffectual, and Spain was obliged for the preſent to ſubmit to an aggreſſion which ſhe wanted the force to repel. The ſubſequent domeſtic diſtractions which prevailed in England, and which to the nations on the continent appeared as through the medium of a magnifying lens, the threatening aſpect of affairs in the Engliſh colonies, and the loſs of reputation ſuſtained by England from her tame acquieſcence in the ceſſion of Corſica to France, emboldened the court of Spain to revive her pretenſion to the iſlands in queſtion, and to take vigorous meaſures to enforce her rights. To this ſhe was in fact incited by the miniſter of France, whoſe ruling paſſion was the depreſſion of the power of England, and who conceived this to be a favourable opportunity for aiding his purpoſe.

Captain Hunt of the Tamar frigate, towards the cloſe of the year 1769, cruizing off the iſlands, fell in with a Spaniſh ſchooner belonging to Port Solidad, and, agreeably to what he conceived to be his duty, charged the commander of the ſchooner to depart that coaſt, as it was the property of his Britannic majeſty. The ſchooner obeyed; but ſoon returned with an officer on board, bringing with him a letter from the governor of Buenos Ayres, addreſſed to captain Hunt, in which the governor in his turn warned the captain to depart from a coaſt belonging to the king of Spain;

but on the ſuppoſition that captain Hunt's touching at theſe iſlands was merely accidental, the governor expreſſed his earneſt deſire to ſhow him all poſſible civilities. Captain Hunt replied with warmth, that theſe iſlands were the property of the crown of Great Britain, both by diſcovery and ſettlement; and the governor maintaining with equal warmth the rights of the crown of Spain, an altercation of conſiderable length enſued. But in the reſult, captain Hunt was charged with a direct violation of treaties by the governor, who declared it to be his duty to tranſmit the particulars of this tranſaction to the court of Spain. Captain Hunt perceiving that this buſineſs was of greater importance than he had at firſt apprehended, and not chuſing to take any further ſteps without proper authority, ſet ſail for England, where he arrived in June 1770, two ſmall ſloops only remaining at Port Egmont.

Soon after his departure, a very conſiderable armament, conſiſting of five ſhips of war, with their attendant veſſels, furniſhed with all the apparatus neceſſary for a regular ſiege, appeared before Port Egmont. Captain Farmer, the commandant, conſcious that the place was untenable, ſubmitted, after a few ſhots were fired, to a capitulation; by which he and his whole garriſon were allowed to evacuate the place, carrying with them ſuch of their ſtores as they were able. The commander of the Spaniſh ſquadron, to prevent early intelligence of this outrage arriving in England, ordered Captain Farmer not to ſail without his permiſſion; and in order to ſecure compliance, cauſed the rudder of captain Farmer's ſhip the Favourite to be taken off and kept on ſhore for twenty days; an almoſt unparalleled inſult to the Britiſh flag. The Favourite was at length permitted to depart, and, after a voyage of ſeventy days, arrived ſafe at Portſmouth.

When the particulars of theſe extraordinary proceedings were made known in England, the whole nation was inflamed with reſentment, and eager to avenge what they termed its violated *honour*. It was ſaid in the uſual ſenſeleſs and inflammatory language of nations, that

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leaving the two oppoſite abſtract claims of the rival crowns out of the queſtion, an attack upon an Engliſh fort and garriſon by an armed force was equivalent to a declaration of war; and that a ſuperior force ought to be ſent without delay, in order to retake the iſlands; and then it might be proper to enter into a negotiation, with a view to determine what reparation was due from Spain for ſo unprovoked an outrage.

This plan however was not purſued. A negotiation between the two courts immediately commenced; but the miniſters of Great Britain inſiſting upon the reſtitution of the iſland on the part of Spain as a previous ſtep to the determination of the queſtion of right, there was little appearance that an amicable accommodation could be effected.

As ſome general opinions, and the rumour of a foreign war, had gained conſiderable ground in the nation even before the riſing of the laſt ſeſſion of parliament, this diſpute with Spain produced a more general alarm than perhaps was neceſſary; and the people began to believe that their former opinion was confirmed. Our inteſtine diviſions, which had pervaded almoſt every part of the kingdom, had engaged the attention of government ſo much, that they had in ſome meaſure neglected our foreign intereſts. Convulſed at home, and in a ſtate of altercation with our colonies, it was natural to ſuppoſe, from the known ſyſtem of policy practiſed among rival ſtates, that our natural and acquired enemies would regard this as a proper opportunity for weakening our power. Indeed ſeveral of the moſt popular members had urged and pointed out, in the laſt ſeſſion, the appearances of danger; and the earl of Chatham, and the duke of Richmond, in particular, not only gave their opinion of a ſpeedy rupture with our ancient enemies; but the former expreſſed himſelf confidently that a great blow either was or would ſpeedily be ſtruck by them, in ſome part of the world.

In this ſtate of things a fire broke out at Portſmouth dock-yard on the 27th of July; and as the poſſible conſequences might have been very prejudicial to us, as

maritime power, it excited univerſal alarm throughout the nation. Many of the people conſidered it as one of the parts of a great and ſettled outline for the reduction of the Britiſh power and opulence; they fancied they could trace in it the deep-laid deſign of an inveterate enemy, whoſe ambition had ever been boundleſs, and but little reſtrained either by the laws of honour or of civilized nations. Falſe reports, which always circulate rapidly in times of alarm and danger, did not fail about this time to have their weight with the weak and credulous.

The loſs ſuſtained by the fire, when vague and looſe conjectures had yielded to regular calculations, was eſtimated at one hundred and fifty thouſand pounds. By diligence and exertion the deficiencies which this accident occaſioned were ſoon made up.

Notwithſtanding it was almoſt generally thought that a foreign war was inevitable, and that this was confirmed by the accounts received from Falkland's Iſlands by captain Hunt early in the month of June, there was ſtill, however, but little preparation in England for war. Some ſhips were put into commiſſion, and there was rather more buſtle in the dock-yards than in a time of profound tranquillity; yet it was not till the latter part of Auguſt that houſes were opened at the ports for the manning of ſixteen ſail of the line, and preſs-warrants were not iſſued till near a month after; and only a few days before the arrival of the Favourite with the Engliſh from Falkland's Iſlands.

The Engliſh have been ſaid to be naturally fond of war: As a nation *naturally* fond of war muſt be a nation of ſavages, we are not willing to allow the aſſertion in its fulleſt extent. They have a quick, and, in many inſtances, an abſurd ſenſe of national injury, and bear with the utmoſt impatience any thing that looks like an affront, or that ſeems in any degree a diminution of their imaginary *honour*. Hence has ariſen that oppoſition of opinion which has ſo often occurred in this country upon queſtions of war and peace, between the miniſters and the people; and in which the former have undoubtedly, at

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certain times, been guided by principles very distinct from those which have influenced the latter.

There seemed to be a peculiar disposition to ill-humour in the nation at this time, and an opposition to every proposed measure. The manning of the navy met with difficulties; the sailors manifested an unusual repugnance to the service; the legality of press-warrants was publicly called in question, and the opinions of counsel applied for on the subject. In the city of London, upon the election of alderman Crosby to the mayoralty, that magistrate totally refused to back the press-warrants, and alleged, that the considerable bounty granted by the city was intended to prevent such violences. Alderman Wilkes had before discharged an impressed man.

In this state of anxiety and expectation the meeting of parliament was eagerly wished for. Lord North was firmly supported by a great majority upon almost every occasion, and seemed now to be as securely fixed in his seat at the head of the treasury as the state of the times would admit. The different parties in opposition had hitherto suffered no material change. The death of Mr. George Grenville, which happened on the day of the meeting of parliament, served to strengthen the administration, as several of the party of which he was the chief went over to the court immediately after that event. The old whigs, who were called the Rockingham party, which was the strongest and most numerous of those in opposition, still continued to act upon the same principles on which they set out; and those who were particularly attached to the earl of Chatham, lords Temple and Shelburne, took a general part with them in public measures.

The parliament met on the 13th of November 1770. The speech from the throne took notice of the Spaniards having seized by force one of his majesty's possessions, by which the honour of the crown and the security of the people's rights were deeply affected. Under these circumstances an immediate demand had been made, from the court of Spain, of such satisfaction as there was a right to expect for the injury received.

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With respect to the colonies, it was observed that the people in most of them had begun to depart from those combinations which were calculated to distress the commerce of this country. The province of Massachusets Bay was, however, still complained of; where, it was said, very unwarrantable practices were then carried on, and the good subjects oppressed by the same lawless violence which had too long prevailed.

The addresses from both houses on this occasion breathed the strongest and most unreserved assurances, that every degree of requisite support should be cheerfully granted; that whatever differences might be furnished to subsist upon some party principles, they would make it manifest by their proceedings, that whenever they were called upon in the cause of their king and country, there would be but one heart and one voice among them.

Though these addresses were carried without a division, they did not pass without considerable debates, which regarded the state of preparation in the nation, the causes of the expected war, and the conduct of the ministry. The opposition contended on this occasion, that as one insult is always the forerunner of others, so the present outrage offered by Spain was a natural consequence of our passive and shameful conduct in regard to the affair of Corsica: That the speech from the throne was an ostentatious display of ministerial conduct, and the address an approbation of every part of it. It was said, that while the rights of the people were violated at home, it was absurd to hope for that cordial union which ought to be earnestly desired in defence of our honour against foreign powers: That the first and indispensable requisite towards obtaining justice from foreigners, was to satisfy the people at home; and that this could only be done by reversing the decision on the Middlesex election, and restoring their constitutional rights.

On the 22d of November a motion was made in the house of lords by the duke of Richmond, and a similar one in the house of commons on the same day by Mr. Dowdeswell, that all the letters and other papers which had been received either by the ministry or admiralty, be-

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tween the 12th of September 1769, and the 12th of September 1770, relative to any hoſtilities deſigned or commenced by the crown of Spain, or any of its officers, againſt any part of his majeſty's dominions, as well as the dates at which the intelligence was received, ſhould be laid before the houſe.

As the preſent uncertainty of war and peace muſt have made it difficult to adminiſtration to know what ground it ſhould chuſe, in framing a defence to the many objections or cenſures that might ariſe in the courſe of ſuch an inquiry; and as it would beſides have probably continued for a conſiderable time, and muſt have greatly embarraſſed them in the beginning of a ſeſſion, already clogged with the raiſing of extraordinary ſupplies, the preparations for a war, and the attention of a foreign negotiation; ſo all the vigour and ſtrength which they could exert, was uſed in oppoſition to it.

It was ſaid, that we were now engaged in a negotiation of great importance with the Spaniſh nation, by which matters were in a courſe of being brought to an accommodation; that the honour and happineſs of two great nations were at ſtake in this negotiation; and that if the papers were now produced, it would make the whole world acquainted with tranſactions, which, till their completion, required to be carefully confined to the cabinet; that it would be opening the ſources of our intelligence, the ſprings of our action, and the principles of our conduct, to ſuſpicious friends, or profeſſed enemies; and that if it had even been prudent, on our own account, to unlock the Engliſh cabinet in this manner to all Europe, we have yet no right to betray the ſecrets of the court of Spain: They are now treating with us confidentially, and a rude publication of what they communicated to us under the ſacred ſeal of ſecrecy, muſt at once put an end to all amicable intercourſe.

That his catholic majeſty had already diſavowed the behaviour of his officer; and promiſed every equitable ſatisfaction to this nation. That by acting with temper and moderation, a ſhort negotiation might happily prevent all the miſeries and horrors of a long and ruinous war.

war. The fatal conſequences of war were pathetically deſcribed, and its effects upon this country, loaded as we are with taxes and debt, ſet forth and explained. But at the ſame time, all apprehenſion of commencing hoſtilities, or dread of entering into a war, as ſoon as the honour or intereſt of the nation ſhould render ſuch a meaſure unavoidable, or even neceſſary, was totally diſclaimed.

That adminiſtration had hitherto been neither ſupine nor negligent upon the occaſion; that the moment certain intelligence arrived of our having cauſe to find fault, a ſpirited reſolution was taken to demand ſatisfaction. That altercations have often ariſen between kingdoms, through the negligence, the ignorance, or the inſolence of officers, where there was no intention whatever of a quarrel between their reſpective governments; and that our own officers have not always been ſo chaſte and guarded in their conduct, as to avoid giving cauſes of offence to our neighbours; that therefore in the preſent inſtance, as well with regard to the honour and juſtice of the nation, as to its proſperity, it was neceſſary to demand this ſatisfaction, firſt, in a peaceable manner; it was neceſſary before we reſented, to know whether we had a warrantable right to reſent; it was neceſſary to know whether the court of Spain, or its officer, were to blame; when this point was determined, the ſyſtem to be adopted was obvious, and we accordingly prepared for it. If the Spaniard was not to be argued into juſtice, he was to be compelled: And adminiſtration, though willing, if poſſible, to avoid the calamities of war, prepared at all events for the worſt; ſo that the preparations for war went hand in hand with the plan of negotiation.

In favour of the motion it was ſaid, that parliament can never have too ample a field for information. That they are the hereditary counſellors of the crown; and, to enable them to give counſel, muſt have a particular acquaintance with the facts that they adviſe upon. That they were now met to conſider the buſineſs of the kingdom; and when were they to give counſel, if not in a time of public danger? That they had been told in the

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ſpeech, that they ſhould be applied to from the throne for advice; but, if they were not, it was their duty to give it. And that their advice and interference was now particularly called upon, when, by an unparalleled ſucceſſion of weak and ſhameful meaſures, the nation was diſgraced, inſulted, and diſhonoured abroad; and at home, weak, divided, and expoſed.

That the pretence of a negotiation was equally replete with indignity to the crown, and diſhonour to the nation. That we were not in a ſituation, in which a great and powerful nation was permitted to negotiate. A foreign power had forcibly robbed his majeſty of a part of his dominions: When this part was reſtored, and every thing replaced in its priſtine form, it might then perhaps be juſtifiable to treat with the aggreſſor, upon the ſum and nature of the ſatisfaction which he ought to make, for the inſult offered to the crown of England; but that it was betraying the honour of the king and the nation, to make it a matter of negotiation, whether his poſſeſſions ſhould be reſtored to him or not. That, in fact, there was no ground or matter to negotiate upon: The Spaniards had ſeized one of our poſſeſſions to which they had no right, and our miniſters entered into a treaty to regulate a right that did not exiſt.

It was ſaid, that pains had been induſtriouſly taken to poſſeſs the public with an opinion, that the Spaniſh court had conſtantly diſavowed the proceedings of their governor, and even that means had been ſhamefully and daringly uſed, to have this opinion ſupported and countenanced from the throne. That nothing could be more odious or infamous than thus to adviſe an act, which was to give a confirmation and currency to an abſolute falſehood; and which was as derogatory to honour on the one ſide, as it was an inſult to parliament on the other. It was aſked, whether the iſland had been ſummoned to ſurrender in the name of the governor of Buenos Ayres, or in that of his catholic majeſty; or was it pretended that the iſland belonged to Don Franciſco Buccarelli? And it was aſſerted, that the court of Spain, by not having made an inſtant offer of reſtitution, of immediate ſatisfaction,

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and of the punishment of the governor, had fully avowed and adopted the act as her own.

That the very terms of the motion obviated all the objections that were made, and which were only founded upon the pretended ill consequences that might attend the exposing of the papers, while the negotiation was in hand; that no papers were called for by it, of a date subsequent to the notice received by the ministry of the hostility being actually committed, consequently the motion could not reach to any letters written or received, or to any negotiation entered into, after the receipt of that notice; it was only meant to obtain, for the house, some accurate information of circumstances leading to and accounting for a fact, which was itself notorious and undisputed.

Severe censures were past upon the refusal last year of an inquiry into the state of the navy, and of an augmentation of seamen; upon the slackness of preparation, and the weakness of our present armament; the naked and defenceless state of our West-India islands, particularly Jamaica, which had only one ship of the line for its protection, though the Spaniards had long kept a very considerable fleet in that quarter; and the dangerous state of Gibraltar, without a fleet to protect it, or a sufficient garrison. It was said, that all these were matters of the last and greatest national importance, and that they were called upon by all the ties of duty, to God, their country, and themselves, to make a strict and speedy inquiry into the causes of them. If the gentlemen in administration could exculpate themselves of these charges; if the facts were falsely stated; if no timely intelligence was or could be received; or if, upon the whole, every prudent and requisite measure had been pursued, which time and the nature of things would admit, it was their interest, above all others, to further and promote an inquiry which would redound so much to their own honour, give such universal satisfaction to the nation, and be the means, in case of a war, of the most unlimited confidence being placed in them, and of their receiving the most effectual support. In a word, it was treachery to the nation to conceal from them their real circumstances, whatever they were;

were; and, with reſpect to foreign enemies, all concealments were vain and uſeleſs; they were as well acquainted with the actual force, and the weakneſs, of this country, as even the king's ſervants could be.

The ill diſpoſition of Spain to this country, and its hoſtile intentions, were argued from many preceding facts, as well as from the late act of hoſtility; from all which it was inferred, that this dilatory negotiation was only intended to amuſe us, till ſhe had completed her preparations, and had time to put in execution ſome of thoſe dangerous deſigns which ſhe had in view. Among the reſt it was ſhown, that the Spaniſh priſons were filled with Britiſh ſeamen, who had been taken under pretence of an illicit trade by their guarda coſtas, and were condemned either to perpetual confinement, or to the moſt cruel ſlavery, in working at their remote fortifications, where they were treated with the greateſt inhumanity; that great numbers of them were in this ſtate, particularly at Ceuta, and it was ſuppoſed they amounted in all to ſome thouſands: It was farther proved, that this enormity was a deſigned and premeditated act of the ſtate, and an inſtance given, where one of our admirals was refuſed the diſcharge of ſome Engliſh ſeamen from confinement, by a Spaniſh admiral and governor, who were willing to oblige him, but dare not counteract the ſtrict orders of the court.

That the ſame determined intention and expectation of war, ſhowed itſelf after the late act of hoſtility, if any thing farther could be requiſite to make it evident, by diſarming and making the garriſon priſoners at Port Egmont, and not ſuffering them to depart, when they took poſſeſſion of that place; to which was added that moſt daring inſult to his majeſty, of taking the rudder off from his ſhip, and detaining her by force twenty days;—a deſigned affront of ſuch a nature, as nothing but a thorough knowledge of the deſigns of their court, and an inevitable certainty of a war, could have emboldened the actors to have offered: That, ſuppoſing they had a claim to the iſland, the detaining of the garriſon was an expreſs violation of treaty, by which, in the caſe even of an open

rupture, ſix months are allowed to the ſubjects of each nation, to remove their perſons and properties from the dominions of the other. And that from a due conſideration of all theſe premiſes, it was evident, that we were only made the dupes to a pretended negotiation.

It was ſaid in reply, that if all theſe charges could be admitted, it would be ſuppoſing the moſt heterogeneous and unnatural combination that ever exiſted, in which the three great parts that compoſe our government, with a great majority of the monied and landed intereſts, were to join with the miniſtry to betray the nation, to ſacrifice their own moſt eſſential intereſts, and to entail ruin and deſtruction upon their poſterity. That his majeſty had wiſely entruſted the whole conduct of this buſineſs to the care of gentlemen in whom he placed the greateſt confidence, and who would ſhow that they were not unworthy of it, by the ſtricteſt attention as well to his honour, as to the intereſts of the nation.

The ſuſpicion of duplicity in the court of Spain was ſaid to be groundleſs; that the Spaniards were like ourſelves; they were haughty, brave, and generous; they were willing to be juſt, but they would not be bullied, or compelled into juſtice; they would not have that demanded as the conceſſion of their fears, which ſhould be required as the reſult of their probity; they would ſuffer diſtreſs ſooner than diſhonour; and if we talked of forcing them into our meaſures, they would make that force indiſpenſably requiſite; that therefore great allowances were to be made for the nice delicacy of honour, and extreme ſenſibility of ſuch a people; and it was better and more prudent to treat even their prejudices with tenderneſs, than, by the raſh and untimely application of a rough hand, to irritate and provoke them.

That it was abſurd to ſuppoſe, that we were only amuſed by a treaty, while the enemy was meditating ſome ſignal and dangerous blow. If the barren rock of Falkland's Iſland had abundantly furniſhed matter of ſerious reflection to both nations, and Spain was already fully convinced that we were not to be deprived of ſo inſignificant an object without ample ſatisfaction, and was ſenſible at the

ſame time of the formidable armaments we were making, for the purpoſe of exacting that juſtice by force, which was refuſed us by treaty; could it be ſuppoſed in ſuch circumſtances, that ſhe would, by giving new cauſes of complaint, urge us to an immediate commencement of hoſtilities, at a time when ſhe well knew that we were fully prepared to take the moſt ſignal vengeance? Spain muſt therefore have a regard to herſelf, however ſhe might wiſh to diſtreſs us; and would be cautious from prudence, if not even honeſt from inclination.

Such were ſome of the arguments made uſe of in the long debates that aroſe upon this motion in both houſes; it was however rejected by a majority, of more than three to one, of the lords; in the houſe of commons it was better ſupported as to numbers, and the minority thought it no ſmall inſtance of their ſtrength, to count 101, in their diviſion, upon a queſtion brought in ſo early in the ſeſſion, and which was not debated in a full houſe.

A new motion on the ſeemingly hopeleſs ſubject of the Middleſex election having been made * in the houſe of lords by the earl of Chatham, which tended to a declaration that the capacity of being choſen a repreſentative of the people in parliament, was, under certain known reſtrictions and limitations of law, an inherent right of the ſubject, and cognizable by law, and is accordingly a matter wherein the juriſdiction of the houſe of commons (though unappealable as to the ſeat of their member) is not final or concluſive, though it met with the uſual fate of thoſe which had been propoſed upon this matter, was occaſionally the means of bringing out another debate, upon a new, critical, and very intereſting ſubject.

The nobleman we have mentioned, in the courſe of his introductory ſpeech upon the motion, made a digreſſion to the preſent conduct and mode of proceeding in our courts of juſtice, particularly the modern method of directing a jury from the bench, and giving judgment in caſes of proſecution for libels. It was advanced upon

* November 28.

this occaſion, that the conſtitution of this country had not only been wounded in the houſe of commons in the material right of election, but in the court of king's bench by the immediate diſpenſers of the law; that doctrines no leſs new, than dangerous in their nature, had been inculcated in that court: And that particularly in the charge delivered to the jury on Woodfall's trial, the directions were contrary to law, repugnant to practice, and injurious to the deareſt liberties of the people.

As the noble lord, who was the ſubject of theſe ſevere reflections, was then preſent, he naturally entered into a defence and juſtification of his conduct, in which he attributed the obloquy thrown upon the court at which he preſided, partly to the ſpirit of party, and partly to the licentiouſneſs of the people, who were become impatient of all ſubmiſſion to law, order, and government; the preſent charges he alſo attributed to the ignorance of the accuſer in matters of law, and his receiving his information from ſpurious printed accounts of trials. That the directions now given to juries were nothing novel, they had ever been the ſame, nor had they been once called in queſtion till this moment; that he had always, in one uniform manner, told a jury, that they were to judge of what appeared by the evidence in court, both reſpecting the publication, and reſpecting the juſtification of any libel; where no juſtification of the matter in the information was entered into, they were to find, according to their judgment, whether the inuendos and the criminal inference in the information, were ſuch as the paper deſcribed. That he ſhould be at all times proud of changing his opinion, when it appeared to him that his judgment was improper; and had told the courts upon all trials where he preſided, that if he was wrong in his direction, he would moſt willingly be ſet right, which might be done by an arreſt of judgment; for if a direction to a jury was improper, the whole verdict was null and void, and a new trial muſt be granted; but that in fourteen years no objection had ever been made to his conduct in this particular.

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To this it was replied, that the very directions which were now avowed, corresponded with the doctrine which was publicly imputed to the court in queſtion, *viz.* That the queſtion of a libel, or not libel, was merely a matter of law, and was to be decided by the bench; and that the only queſtion to be left to the jury to determine, was the fact of printing and publiſhing: That upon this principle, ſo ſubverſive of the laws, and repugnant to the conſtitution, it was declared from the bench, upon the trial for an imputed libel already mentioned, that if the jury, inſtead of adding the word *only* to their verdict, had found the defendant generally guilty of printing and publiſhing, they would have found him guilty of the libel; ſo that the criminality of the fact was not at all to be conſidered, and the man might have been puniſhed though the paper had been perfectly innocent. It was therefore urged in the ſtrongeſt terms, that a day ſhould be appointed for an inquiry into the conduct of the judges, and that the directions in queſtion ſhould be fully ſtated, and laid properly before them.

What contributed to give great weight and importance to this debate, was the active and public part which the late lord chancellor took in it. He ſaid, that having paſſed through the higheſt departments of the law, he was particularly intereſted, and even tied down by duty, to urge the making of this inquiry; that if it ſhould appear that any doctrines had been inculcated, contrary to the known and eſtabliſhed principles of the conſtitution, he would expoſe and point them out, and convince the authors to their faces of the errors they had been guilty of; that he could not, from his profeſſion, but be ſenſibly concerned for the preſent diſreputable ſtate of our law courts, and ſincerely to wiſh that ſome effectual method might be taken to recover their former luſtre and dignity; and that he knew of no method ſo effectual as the propoſed inquiry: If the ſpirit of the times had fixed any unmerited ſtigma upon the characters of the judges, this would purify them, and reſtore them to the eſteem and confidence of their country; but if the popular rumours had unhappily been too well founded, we owed it to ourſelves, and to poſte-

rity, to drive them indignantly from the ſeats which they diſhonoured, and to puniſh them in an exemplary manner for their malverſation.

The gauntlet being thus thrown down between the two great ſages of the law, accompanied with charges of the moſt intereſting nature, and with circumſtances, which were ſufficiently provoking, no doubt was made but that it would have been immediately taken up, and that, a day being appointed for the inquiry, the diſcuſſion would have proved as replete with the moſt conſummate learning and knowledge of the law, as the matter was of weight and importance to the public. This however was not the caſe; and the original matter of the motion having been recurred to, the queſtion of adjournment was propoſed and carried.

A motion had been made in the houſe of commons, the day before this debate happened, to bring in a bill, to explain, amend, and render more effectual an act of the 4th and 5th of William and Mary, to prevent malicious informations in the court of king's bench, and for the more eaſy reverſal of outlawries in that court.

The intention of the propoſed amendment was to reſtrain certain powers lodged in the hands of the attorney-general, which enabled him to file informations and carry on proſecutions *ex officio*, without the interference of a grand-jury, or going through the uſual and eſtabliſhed forms obſerved by the courts in all other caſes. Some late inſtances of the exerciſe of this power, in the carrying on of proſecutions for libels, had been the cauſe of much popular complaint and diſcuſſion without doors, and were undoubtedly the cauſes of the preſent motion.

It was ſaid, that this power was ſcarcely leſs compatible with a free government, than that of the ſtar-chamber, to which it is nearly allied, and partakes of the ſame nature; that as the attorney-general is an officer removable at pleaſure, and in the way of great emolument and promotion, ſo dangerous a power ſhould not be lodged in his hands, which muſt at beſt, in ſuch circumſtances, be odious and ſuſpicious, and is in reality to himſelf a trap laid for his virtue, by which he may be

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frequently reduced to the ſevere neceſſity of either ſacrificing his conſcience and his duty, or of loſing his place, and along with it the flattering proſpects of future advancement in life.—That we are not to expect, much leſs to depend upon, extraordinary virtues in mankind, and we are therefore to ſuppoſe, that an officer, whoſe exiſtence depends totally upon the breath of a miniſter, muſt act immediately under his orders.

That, in theſe circumſtances, the attorney-general can, by his own mere motion, or in obedience to the arbitrary mandate of a miniſter, give any name and import to any paper he pleaſes; call it an infamous, a ſeditious, or a treaſonable libel: After this arbitrary conſtruction, this diſcretionary name, he files an information, and commences a proſecution, without any other affidavit, without hearing any evidence, without examining any witneſs, or making the leaſt previous inquiry. If the culprit ſhould, in the courſe of the trial, be able to juſtify his conduct; or if the attorney, deſpairing of ſucceſs, ſhould enter a *noli proſequi*; yet he will probably be ruined by the expenſe. Thus any perſon, obnoxious to a miniſter, or to an attorney-general, is liable by this proceſs, however unjuſtly, or without even the ſhadow of a crime, to be oppreſſed or ruined at will; and the attorney-general is, in the firſt inſtance, abſolute maſter of the perſon and property of the moſt innocent man in the kingdom; he may file an information againſt him, he may get him apprehended, and he may ruin him with coſts.

It was argued, that this inſtitution, whether equitable or not, conſtitutional or otherwiſe, does not anſwer the end for which it is intended, which is the ſpeedy puniſhment of libellers; on the contrary, experience ſhows, that, before the attorney-general can get half through the neceſſary proceſs by information, he might have got the offender tried, convicted, and condemned, before the common juries: That a general clamour was gone out through the land againſt this mode of proſecution, which ſhould in itſelf be a ſufficient cauſe for the propoſed reſtraint; and nothing could be more equitable or reaſonable, or

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that would at the ſame time give greater ſatisfaction, than that, when the proceedings were commenced *ex officio*, the defendant ſhould, as in other caſes, be allowed to ſhow cauſe why an information ſhould not be granted.

Former inſtances were brought of an improper exertion of this authority; and of an attorney-general, whoſe conduct was ſo flagitious, that it occaſioned his being brought to the bar of that houſe, where he had no other method of exculpating himſelf, but by ſhowing that he was merely a paſſive inſtrument in the hands of others; and that he had received the information which was filed in his name, literally as it ſtood, from the ſecretary of ſtate. Some exertions of this power in the late proſecutions were alſo brought in queſtion; and it was deſcribed to be a badge of ſlavery upon the people, and inſiſted, that if the true definition of a free-man, is a man ſubject to known and invariable laws, no man in England could be called free, while it exiſted in any form.

In oppoſition to the motion, the antiquity of the office was much inſiſted upon.—That the attorney-general neither claimed nor exerciſed any power at preſent, but what was always appendant to his office; that it was a part of the common law of the land, which is as ancient as the monarchy, and the baſis of our popular liberty. That if its being liable to be abuſed was a ſufficient reaſon for its being aboliſhed, the ſame reaſon muſt militate againſt all power, of what nature ſoever; as all power was liable to abuſe.—The danger of making innovations in ancient eſtabliſhments, and of ſubſtituting the haſty and crude acts of the imagination, for the long experience of ages, was pointed out; that our conſtitution was now the admiration of the world, and it behoved us to take care, that we did not, by tampering too much with the foundations, looſen them in ſuch a manner, as to draw the whole edifice down upon our heads.

That the inſtance which had been given, of an attorney-general's being cognizable to that houſe, and liable to its control, was the ſtrongeſt proof that the power in his hands could not be dangerous, and would never be permitted to become an inſtrument in the hands

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of government for the oppreſſion of the people.—That the attorney-general, like every other crown officer, is reſponſible for his conduct, and, if he acts contrary to law, is amenable to juſtice; and that in caſes of official information he repreſents the grand jury, and undertakes the proſecution at his peril.—That proſecutions were now in hand, which were undertaken at the requeſt of the houſe; and it was a ſtrange meaſure to require that they ſhould annihilate a power, at the very inſtant that they found it neceſſary to make uſe of it. It was further aſſerted, that the taking away this power would be expenſive and miſchievous to the parties under proſecution, as a motion for an information by a rule of court lay much heavier in point of coſt, and in all probable caſes would be granted without difficulty.

It was ſaid, that theſe powers were granted in much more temperate times than the preſent; and that now, when every degree of licentiouſneſs ſeemed arrived at its ultimate extreme, inſtead of giving them freſh energy, it was propoſed to take them totally away: That they were at preſent inſufficient to puniſh the guilty, much leſs to oppreſs the innocent; and that they could not preſerve the moſt ſacred characters from the moſt outrageous abuſe, nor procure the ſmalleſt compenſation for the injury.

In the courſe of theſe debates, an inquiry was propoſed into the conduct of the judges, and the adminiſtration of juſtice in the ſuperior courts; though this produced much animadverſion, as it did not originate with the ſubject in debate, it was paſſed over for the preſent, and the queſtion being at length put upon the motion, it was rejected by a great majority. It was however evident, from the temper that appeared upon this occaſion, that the inquiry was a matter reſolved upon by ſome perſons in the oppoſition, and would ſoon be brought on in form.

A motion was accordingly made a few days after *, for a committee to inquire into the adminiſtration of cri-

* December 9th.

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minal juſtice, and the proceedings of the judges in Weſtminſter-hall, particularly in caſes relating to the liberty of the preſs, and the conſtitutional power and duty of juries. The gentleman who ſeconded this motion, avowed its particular alluſion to a great law lord, whom he ſpecified by name, and pledged himſelf to arraign him, if the inquiry was granted.

Though the motion was only for an inquiry, and ſeemed founded upon a public report, which had gained general credit, that the judges of Weſtminſter-hall were unfriendly to juries, and had laid down falſe law to miſlead them in their verdict; yet, beſides a great number of others, which were collaterally introduced in the courſe of the debate, the two following ſpecific charges were brought by the gentleman who made the motion, in ſupport of it, and which he offered to prove by reſpectable witneſſes, who were ready to appear at the bar of the houſe for that purpoſe; *viz.* of allowing the jury to judge only of the fact, and of reſerving to themſelves the right of judging of the intention:—And that a maſter had been adjudged to be reſponſible in criminal caſes for the miſdemeanour of his ſervant.

It was obſerved, as to the firſt of theſe allegations, that no doctrine could be laid down in the law, of a more dangerous tendency; and that it was equally repugnant to the principles of the conſtitution, and to the eſtabliſhed practice of the courts.—That this appears manifeſtly in the caſe of manſlaughter: A ſon kills his father; the matter of fact is proved and acknowledged, and is, ſo far, a murder of the blackeſt die: The jury however examine into the circumſtances, and find that it was an accidental misfortune, in which the intention had no ſhare, and, judging ſolely from thence, acquit the culprit from even the imputation of a crime.—If they have this right to examine into and ſeparate the guilt and the intention, and to judge of both, in caſes of manſlaughter, upon what principles of law, or eſtabliſhed precedents in practice, are they to be deprived of it, in other criminal caſes of leſs moment?—That there is, indeed, one of the moſt remarkable precedents in our

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hiſtory, which comes full to the point in queſtion, and operates totally againſt this doctrine; which is the celebrated caſe of the ſeven biſhops in the arbitrary reign of James II. where the jury could have acquitted them upon no other principle than that of their right to judge of the intention; that the biſhops acknowledged the publication, and the application which was alleged in the information; and therefore, that if the intention was not ſubmitted to the jury, there was no ſubject for their determination: But the jury, finding the intention to be good, acquitted them upon that principle, and upon that principle only, to their own laſting honour, the joy of all good men, and the great advantage of the nation: That this was done in the worſt of times, in the face of the moſt violent and arbitrary power, and of the moſt daring, profligate, and corrupt judges, who yet had not courage to overthrow this eſtabliſhed right.

The ſecond allegation referred to the caſe of Almon the bookſeller, who was pronounced to be by law guilty, though he was not in his houſe when the copies of the libel, for which he was proſecuted, were brought to his ſhop; though they were ſold without his knowledge; his name printed on the title-page without his privity or conſent; and though, upon his return, he ſent back the remaining copies, and complained of the liberty which had been taken with his name.

It was ſaid, that the judgment, by which this man was found guilty, had blended and confounded civil and criminal actions in the moſt extraordinary manner, and would, if eſtabliſhed as a precedent, introduce an irremediable confuſion in the law; that though it was admitted, that, in civil actions, the ſufferer ought to recover damages, even from the involuntary author of any injury he ſuſtained; it was inſiſted upon to be quite otherwiſe in criminal caſes, and that it was contrary to all ideas of juſtice, that ſuch an unlucky or fooliſh treſpaſſer as the preſent ſhould be proſecuted as a bad man, and an enemy to ſociety, and puniſhed as a public delinquent.

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Among the collateral allegations were the following—That juries had been vilified from the bench, and repreſented as unworthy of their truſt;—that they had been taught to pay no regard to the quality or fortune of the parties, in aſſeſſing damages, and to make no greater reparation to the firſt peer of the realm than to the meaneſt peaſant.—That a juryman had been rejected, without any challenge from the parties, who are alone inveſted with that right by the law.—That a great judge had made it a kind of ſettled maxim, to inform the jury, that they are judges of fact only, and not of law.—And that, upon a trial for murder, the jury were ſent back, after they had brought in their verdict, *Guilty*, and were peremptorily ordered by the judge to bring in a verdict *Manſlaughter*.

It was ſaid, that theſe tranſactions had not only excited a moſt general contempt of the courts of law, but had alſo moſt unhappily leſſened that eſteem and reverence with which the people of this country uſed at all times to look up to the laws themſelves;—that the laſt, in particular, had excited a great and general alarm, as they attributed it to that extreme partiality which had of late manifeſted itſelf upon every occaſion in favour of the military, and had ſupported and encouraged them in the commiſſion of acts of the greateſt violence and moſt barbarous outrage upon their fellow-ſubjects; that they could not conceive, how any thing leſs than the immediate interpoſition of miniſterial influence, could have induced a judge to control the judgment of a jury in a plain matter of fact, of which they were as well qualified to judge as the moſt acute and ſubtil ſplitter of caſes in all the courts. It was not then without reaſon that the people were now alarmed, and thought that, if judges were allowed ſuch dictatorial authority, juries will become, inſtead of bulwarks to the conſtitution, mere engines to cloak the oppreſſion of magiſtrates. It was therefore moved, that the particular conduct of the judge in queſtion, who was ſpecifically named, ſhould be added to the inquiry.

The ground principally taken in oppoſition to the inquiry, was the implication of cenſure which it would carry

carry againſt the character and conduct of ſo many reſpectable perſons;---that the character of our judges ſhould be kept ſacred, not only from principles of juſtice to themſelves as men; but principles of true policy, as members of the greateſt importance to the ſtate.---That no ſpecific charge was laid; the motion was only made for a vague inquiry, which might as well have been extended to any other man, or body of men, in the kingdom; that, however, the deſign of it was evidently the condemnation, or at leaſt the aſperſion, of one or two particular perſons; and by this method of conducting it, it was to imply guilt in ten more.---That the noble lord, who was particularly pointed at, could undoubtedly juſtify his conduct with the greateſt eaſe; as he had always made law, reaſon, and juſtice, the rules by which he guided it; and that his fame was as far ſuperior to the fruitleſs efforts of malevolence, as he was himſelf in ability, and knowledge of the law, to thoſe who preſumed to cenſure him.

Some gentlemen however entered into a vindication (and thereby ſeemed to admit the charge) of thoſe doctrines which had been attributed to the lord chief juſtice of the king's bench.—They ſaid, that they contained nothing new; that they were the ſame tenets which the judges had maintained in all times;---that, to prove this, they would not go back to Scroggs or Jefferies; they would bring their evidence from the moſt unexceptionable authority, that of lord chief juſtice Raymond; —the opinion of this judge, in the caſe of Franklyn for publiſhing the Craftſman, was accordingly cited and read, from the 9th volume of the State Trials, which appeared in general to coincide with the late practice of the courts, and the doctrine which was the preſent ſubject of cenſure and defence.

The principal ſtreſs of the argument was however reſted upon the want of ſpecification of the charge in the motion, with which the charges made in the debate had no relation;---the general implication of guilt which would attend ſuch an inquiry, when there was no reaſon to think that even the ſmalleſt cenſure was incurred; and

the injuſtice, as well as imprudence, of raiſing a general clamour againſt all the judges, when it appeared that even the breath of ſuſpicion fell only upon two.

It was replied in anſwer to theſe arguments, that the gentleman who made the motion, as well as thoſe who ſupported it, had been actuated by more equitable and generous motives, and had proceeded upon more liberal principles, than to put themſelves in the place of informers, and by ſpecifying and applying their charges to individuals, to incur the cenſure of a mean and malicious perſonality. They went upon wider ground, and a more extenſive plan. The cauſes of complaint were too numerous, and the enormities too great, to be reached or implied by a ſpecific charge; that no injury would be done, no character deſtroyed, no particular perſon ruined, unleſs it appeared by the reſult that his conduct merited puniſhment. That the cauſes, which had already been ſhown within doors, were ſufficient motives for the inquiry, and that the general diſcontent without, and the public cenſure of the courts, which both in words and in writing had ſpread throughout the nation, made it abſolutely neceſſary: That if any thing further need be urged in favour of it, the character and weight of thoſe reſpectable names which now requiredit, whether conſidered as members of that houſe, or of the community at large, ſhould in itſelf be a cauſe fully ſufficient.

That though the inquiry had been propoſed upon that enlarged and liberal plan, ſeveral ſpecific charges were made;—that the character of the judges, and the reverence due to our courts of juſtice, particularly demanded it; that if the cenſure and obloquy thrown upon them ſhould appear to be ill-founded, nothing could ſo effectually put a ſtop to it, or redound ſo much to their honour; and that, therefore, all thoſe who were real friends to the judges, and who believed them innocent, ſhould promote the inquiry; if they were guilty, who would avow a wiſh to protect or to ſcreen them? That, in the former caſe, no miſchief or danger can be apprehended to them; if their doctrines are conſtitutional, every imputation will fly off, and they will meet with

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the greateſt applauſe; if they are legal, though not conſtitutional, it will produce neither condemnation nor cenſure to them, and a remedy can be ſought for the diſeaſe, by making the laws and the conſtitution agree.

That they had heard from the mouth of one of their own members, that attempts had been made to corrupt the venerable ſages of the law; and that a late judge, equally celebrated for his knowledge and integrity, had been tampered with by adminiſtration, and ſolicited to favour the crown in certain trials which were then depending between it and the ſubject: That though this, as a death-bed declaration, could not be eſtabliſhed in ſuch a manner as to amount to a legal proof; yet the ſurmiſe of the bare poſſibility of ſuch an attempt was a matter of the moſt alarming nature, which called upon all their care and attention, and demanded the moſt ſtrict inquiſition into the conduct of the courts.

The precedent, quoted from the 9th volume of the State Trials, was rejected, as the authority from which it was taken was ſaid to be of no value; but ſuppoſing it for a moment to be admitted, what conſequence is to follow? It is the opinion of a ſingle judge, and it is drawn into precedent; the hiſtory of our law is full of the different opinions of different great lawyers, and, unfortunately, few caſes could be put, that may not be ſupported by the ſanction of ſome time-ſerving precedent; the only juſt inference is, that our laws, particularly thoſe which are the ſubject of the preſent debate, ſtand as much in need of a reviſion as our courts of juſtice, and that it is in the higheſt degree neceſſary to both: That this reviſion is the more urgent, as, from the doctrines laid down of late, the office of a juryman appears to be ſo involved in intricacies, ſo immerſed and enveloped in law, that no two of the greateſt ſages, who have made the laws the ſtudy of their lives, can agree in their definition of it.—Let this rubbiſh then be removed, and the line drawn with ſuch preciſion that this controverted doctrine may be eſtabliſhed on clear, determined principles, ſo that any ſenſible juryman (without being a lawyer) may know his own rights and privileges; and a judge, with-

out daring to encroach on thoſe privileges, may reſt ſatisfied with the authority he is inveſted with.

Such were a few of the arguments made uſe of on both ſides, in the courſe of this important debate. The motion was rejected, upon a diviſion, by a majority of more than two to one, there being 184 againſt, and only 76 for, the inquiry.

This ſecond attack upon the conduct and authority of the court, conducted with great ability, and ſupported by ſeveral gentlemen, who were themſelves of eminence in the law, attended beſides with ſevere and pointed charges againſt one in particular, could not fail of being ſenſibly felt by the noble lord who preſided in it, and whoſe name had been directly mentioned. Though it had failed in the execution, the attempt in ſo diſtinguiſhed an aſſembly was alarming; and as nothing of the kind had happened of late years, the novelty made it more ſo; and though moſt of the charges were oblique, their intended direction was evident, and they were urged with a boldneſs and an appearance of determination which made them ſerious; all which was increaſed by the peculiar delicacy of that high ſtation, which will not admit even of the breath of imputation. Lord Manſfield accordingly gave notice the next day for a call of the houſe of lords on the following Monday, on a matter of importance which he had to communicate to them.

All perſons were now agitated with expectation, that thoſe matters which had been the cauſe of ſo much doubt, jealouſy, and uneaſineſs, in the nation, would have been fully and finally diſcuſſed; and many thought, that the great judge in queſtion had, with the ſagacity peculiar to him, ſeized the preſent critical and golden opportunity of placing and eſtabliſhing his character, in even a more exalted point of view than it had been before; and that, after having ſeemed perſonally to decline the combat on his own ground, and having ſuffered his friends and the miniſtry to prevent it elſewhere, he would now, ſecure in the conſciouſneſs of his own rectitude, bring it on voluntarily, and acquire redoubled luſtre by the conflict.

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It would ſeem that this was the original intention; but, whatever the motives were that afterwards prevailed on his lordſhip and his adverſaries (for the ſpirit viſibly declined on both ſides), it was not the iſſue. Upon the day appointed the noble lord acquainted the houſe, that he had left a paper with the clerk, which contained the unanimous judgment of the court of king's bench, in the caſe of the king againſt Woodfall; and that their lordſhips might read it, and take copies of it if they pleaſed.

A queſtion was then propoſed, whether it was meant, that this paper ſhould be entered on the journals of the houſe? which was anſwered in the negative, and that it was only intended to be left in the hands of the clerk. It was obſerved upon this mode of proceeding, that the paper, in its preſent ſituation, could anſwer no other purpoſe than that of merely gratifying the curioſity of ſuch as choſe to look at it; that with reſpect to that houſe, it was a matter as foreign to it, by being left in the hands of the clerk, as if had been left in any other hands, and in any other houſe or part of the town, or as any other indifferent paper might be; and that no perſon, as a lord of parliament, could in this ſtate make any motion, or proceed in any manner upon it.

This concluſion indeed ſeemed to be admitted; and though no motion was grounded upon the paper by the noble perſon immediately concerned, it was not even inſinuated that the houſe, in its public capacity, could take any notice of it.

The late lord chancellor, who had before pledged himſelf upon this ſubject, did not now let it paſs unnoticed. He offered to maintain that the doctrine, laid down as the judgment of the court, was not the law of England; declared that he was at any time ready to enter into the debate, and preſſed his antagoniſt to appoint an early day for the purpoſe. He alſo at the ſame time propoſed ſeveral queſtions, founded upon the tenets contained in the paper, and which evidently tended to draw forth ſuch matter in the anſwers, as might bring the ſubject in ſome manner within the cognizance of the houſe.

The moſt important of theſe were the following, *viz.* Whether the opinion means to declare, that in the general iſſue of Not guilty, in the caſe of a ſeditious libel, the jury have no right by law to examine the innocence or criminality of the paper, if they think fit, and to form their verdict upon ſuch examination?—Whether it means, in the caſe above mentioned, when the jury have delivered in their verdict Guilty, that this verdict has found the fact only, and not the law?—Whether it is meant by it, that if the jury come to the bar, and ſay that they find the printing and publiſhing, but that the paper is no libel, that in that caſe the jury have found the defendant guilty generally, and the verdict muſt be ſo entered up?—And whether, if the judge, after giving his opinion of the innocence or criminality of the paper, ſhould leave the conſideration of that matter, together with the printing and publiſhing, to the jury, ſuch a direction would be contrary to law?

No ſpecific anſwer was given to theſe queſtions; the method of propoſing them was ſaid to be unfair; that it was an attempt to take advantage by ſurpriſe; and the anſwering of interrogatories was diſclaimed. A day was then urged, to give in the anſwers and enter upon the debate; but this was not complied with, as to any particular day, though a promiſe was given that it ſhould be diſcuſſed at ſome future time, and this was afterwards explained away, to the giving of a future opinion, in an unlimited time, upon the ſubject of the queſtions. Lord Camden, on his part, gave intimations that he would pin down the chief juſtice, and drive him to a legal conteſt on theſe great points. Nothing further, however, was done or attempted on the ſubject.

Thus ended the attempts for an inquiry, in both houſes; little to the ſatisfaction, and greatly to the diſappointment, of the public. It was urged as a matter of much ſurpriſe, that the great law lord, whoſe abilities and knowledge of buſineſs were as equally as univerſally acknowledged, ſhould have deſired a call of the houſe on ſo trifling and flimſy a foundation as the paper in queſtion appears to be; and that the ſame motives

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which finally operated to prevent a full inquiry into the ſubject, had not alſo prevented the adoption of a meaſure, which, without any apparent benefit, was the cauſe of much diſagreeable animadverſion within doors and without. It was thought equally ſingular, that another great law lord (Camden), who had promiſed much to the public on the ſame buſineſs, ſeemed equally diſpoſed to bury the matter in eternal ſilence.

A motion having been made by the duke of Mancheſter for an addreſs for quickening our preparations for putting our valuable and important poſſeſſions in the Weſt Indies and the Mediterranean in a proper ſtate of defence, and particularly for ſending, without loſs of time, all ſuccours neceſſary for the ſecurity of Gibraltar, it was productive of one of the moſt extraordinary ſcenes in that great aſſembly, which either the preſent or any other time had been witneſs to.

As the noble mover was ſhowing, in his introductory ſpeech, the defenceleſs ſtate in particular of that fortreſs, and reflecting upon the negligence, which he conſidered as criminal, of adminiſtration, in its neither being ſufficiently garriſoned, nor a proper naval force for its protection in thoſe ſeas, he was ſuddenly interrupted, and a propoſal was made by lord Gower to clear the houſe of all but thoſe who had a right to ſit there; it was ſaid, that when motions were brought in by ſurpriſe, and there was no previous notice given of what they might conſiſt of, and ſuch things came out upon them as ought not to be divulged, no perſons but thoſe who were concerned ſhould hear them: That notes had been taken of what paſſed in the houſe, and that the enemy might have emiſſaries there, who were to hear the weakneſs and nakedneſs of the nation expoſed; that it was through indulgence only that any others than peers were at any time admitted, and the ſtanding order to that purpoſe was called for and read.

It was admitted on the other ſide, that any lord had an undoubted right to clear the houſe when he pleaſed; but that the doing it upon this particular occaſion would alarm the people, that they would imagine either public affairs to be in a worſe ſituation than they were acquainted

with,

with, or that their proceedings were of such a nature, that they were afraid to have them known; and that as the nobleman who had been speaking, had not been charged with any act of disorder or impropriety, it was insidious and irregular, under pretence of clearing the house, to interrupt him in the midst of a most excellent speech, which he was making on a subject of the greatest importance.

These arguments were answered by a most vociferous and violent outcry of "Clear the House;" and afterwards all became noise, clamour, and confusion. The earl of Chatham, whose character, age, and abilities ought to have commanded respect, used every exertion of body and mind in vain to be heard to order; the speaker was then applied to, who attempted to speak upon the same subject, and with the same success; several lords spoke, or attempted it; none could be heard. At length, the clamour and tumult still increasing, the same noble earl, who had so frequently attempted to speak to order, declared aloud, that if he was not to have the privilege of a lord of parliament, and to be allowed the exercise of a free debate, it was idle and needless to attend there: He accordingly departed, with about eighteen other lords, who quitted the house in a body.

Upon the secession of these lords, the members of the house of commons, of whom there were a considerable number present, were immediately ordered to depart; the tumult then became general, and some of the members in the crowd represented, that they were there in the act of their duty, attending with a bill: They were, notwithstanding, obliged to go out, and wait till their message was delivered, when they attended their bill in a considerable body; but they had no sooner gone through the form of delivery, than the outcry began again; and, without waiting to know, whether they would have done it of their own accord, they were again obliged to withdraw. The personal interference of several of the lords upon this occasion, who had gone to the bar to desire the members of the other house to withdraw, was much objected

to,

to, and represented to be as derogatory from their own dignity, as it was disrespectful to the house of commons.

Most of the seceding lords had retired to the other house, to listen to a debate which was then going on, upon a proposed augmentation of the corps of artillery; and were soon after followed by the members who had been turned out, and who came full of complaints of the violence and indignity of the treatment they had met with. A gentleman on the treasury bench moved that the house should be immediately cleared, peers and all; though this was opposed, and as it appeared by a majority, yet the order of the house being referred to and read, was necessarily complied with, and all but the members were obliged to depart. Thus, to complete the transactions of this extraordinary day *, it presented the whimsical appearance of a considerable body of the first and most respectable nobility in the kingdom, who seemed to be equally shut out from both houses of parliament; while the first vengeance of the commons fell upon those very peers who had not only opposed the violence that was offered, but had quitted their own house in consequence of it.

Those gentlemen who at first showed the quickest sense of the injury, and had been violent for clearing the house of commons, seemed now to have obtained all they wanted, and to have dropped every idea of farther satisfaction or inquiry. This, however, was not the case of many others; they said that as they did not approve, in the first instance, of copying the shameful and indecent example that was set them; much less could they think, that adopting a conduct which had disgraced those who began it, was in any degree a satisfaction for the insult they had received; that there appeared to have been a determined design to affront them, and the honour of the house, and the rights of their constituents, were equally concerned in their resenting it properly, and obtaining full and adequate justice. It was therefore moved, that a committee should be appointed to examine into the lords' journals, to make a full inquiry into the matter, and to report their opinion.

* December 10.

To

To this it was oppoſed, that the lords had not infringed any privilege of theirs; that indeed they had treated them with diſreſpect, by exerting a right of which they were poſſeſſed, in a very unhandſome manner; that however it was a right which could not be diſputed, and which each houſe was in poſſeſſion of; that they had exerciſed it on their ſide, by retaliating on the lords, and treating them in the ſame manner; and that retaliation was all that was in their power, and all they had a right to do: That by keeping their doors ſhut on both ſides, it would ſoon be ſeen who ſhould recover their good humour, or at leaſt who ſhould tire firſt.

After much cenſure and ridicule had been beſtowed upon the proceedings which had given riſe to the debate, a motion for adjournment was made, and carried by a conſiderable majority. A proteſt was entered the next day, ſigned by ſixteen of the ſeceding lords, in which different parts of the conduct obſerved upon that occaſion are reprehended in the ſtrongeſt terms. It was deſcribed as manifeſtly premeditated and prepared, for no other purpoſe, than to preclude inquiry on the part of the lords; and under colour of concealing ſecrets of ſtate, to hide from the public eye the unjuſtifiable and criminal neglect of the miniſtry, in not making ſufficient and timely proviſion for the national honour and ſecurity; that in this unexpected tumult, and hitherto unprecedented uproar, every idea of parliamentary dignity, all the right of free debate, all pretence to reaſon and argument, were loſt and annihilated; and that the whole tended to ſuppreſs ſober and diſpaſſionate deliberation, and ſo ſubſtitute clamour and violence in the place of reaſon and argument.

A motion was made two days after in the houſe of commons, for a conference with the lords, upon a matter highly concerning the good correſpondence between the two houſes, and the mutual civility ſhown by each to the members of the other; which, after ſome debate, was rejected upon a diviſion. It was alſo moved that the ſpeaker ſhould write to ſuch eldeſt ſons of peers, king's ſerjeants, and maſters in chancery, as were mem-

bers

bers of the houſe, as well as to the attorney and ſolicitor-general, to requeſt their attendance in their places every day at two o'clock, to aſſiſt in carrying bills to the lords: Another motion was made, that no peer ſhould be admitted into that houſe; and a third ſome days after, that no member of the commons ſhould go into the houſe of lords without leave; all of which paſſed in the negative.

The lords had in the mean time iſſued ſtrict orders, that no perſons whatſoever ſhould be admitted into their houſe for the future, except ſuch members of the houſe of commons as ſhould come to preſent bills, and they alſo to depart as ſoon as they had made the uſual obediences. This ſtrange miſunderſtanding between the two houſes continued in its effects during the whole remainder of the ſeſſion, ſo as to prevent all intercourſe, except in matters of buſineſs, between them, and effectually ſhut out the reſt of mankind from both. It ſeemed, indeed, to lookers on, to be an extraordinary proceeding, by which the different parts of the ſame legiſlative power were debarred from hearing the debates, and the different opinions and reaſons that could be given, upon ſubjects in which they were equally concerned, and which either had undergone, or were to undergo, their own immediate reviſion.

The public, in general, were ready enough in aſſigning this conduct to the ſame cauſe, to which the origin of it had been attributed in the proteſt; and could not otherwiſe pretend to account for the tameneſs with which the majority of the houſe of commons put up with the preſent indignity, ſo different from the haughty ſpirit which had diſtinguiſhed it upon former occaſions. At all events, it was very unpopular, and cauſed much diſcuſſion upon the queſtion, as to the propriety or conſiſtency of a popular aſſembly, the repreſentative of a free people, conducting its deliberations with the ſilence and ſecrecy of a court of inquiſition. Nor did it in any degree anſwer the only purpoſe that was avowed for it, which was to prevent the debates and the ſpeeches of particular gentlemen from being laid before the public, mangled and

disfigured in the newspapers, and other periodical works, which had been for some time practised; but which immediately after was carried to a degree of licentiousness before unheard of. We must observe, that the house of commons relaxed much from the strictness of their order before the end of the sessions. The lords were inflexible.

The continued debates upon matters of great importance, which had so remarkably distinguished, and so fully taken up, the small part that had already elapsed of this busy session, did not however prevent the most liberal supplies from being granted for the support of the expected war. The vigour and unanimity shown upon this occasion, so contrary to the opinions which might have been founded upon many preceding circumstances, could not fail of surprising all Europe, and must undoubtedly have had a very considerable effect upon the ultimate conduct of those who were disposed to become our enemies.

So early as the 29th of November, 40,000 men were voted for the sea service; extensive grants were immediately after passed for the ordinary and support of the navy; the land forces for home-service were augmented from 17,666 men, which was the last year's establishment, to 23,432 effective men; a new battalion was also added to the ordnance, and a small addition made to the pay of a considerable body of the subaltern officers belonging to that corps.

It was observable in this day's debate, that the language of the ministry in respect to the two great objects of peace and war, was totally changed from that which had been held at the beginning of the session. The negotiation, and the tranquil intentions of Spain, were now no longer heard of, and war seemed to be considered as the expected, and probable final resort. In reality, the negotiation was at an end, and the conduct observed by the court of Spain in the carrying of it on, so far as it has appeared to the public, seems in a great measure to have corroborated the opinion of her designs, which had been formed and repeatedly urged by the opposition.

Something

Something leſs than a fortnight before the arrival of our people from Falkland's Iſland, a letter was received (September 10) at lord Weymouth's office (who was then ſecretary of ſtate for the ſouthern department) from Mr. Harris our miniſter at Madrid, with information that a ſhip had arrived from Buenos Ayres, which brought an account of the intended expedition, its force, and the time that was fixed for its ſailing. About the ſame time, prince Maſerano, the Spaniſh ambaſſador, acquainted his lordſhip, that he had good reaſons to believe the governor of Buenos Ayres had taken upon him to make uſe of force, in diſpoſſeſſing our people from Port Egmont; and that he was directed to make this communication, to prevent the bad conſequences that might ariſe from its coming through other hands; at the ſame time expreſſing his wiſhes, that whatever the event at Port Egmont might be, in conſequence of a ſtep taken by the governor, without any particular inſtruction from his catholic majeſty, it might not be productive of meaſures at this court dangerous to the good underſtanding between the two crowns.

To this it was replied by lord Weymouth, that if force had been made uſe of, it was difficult to ſee how the fatal conſequences could be avoided, by any thing that was leſt in their power to do; that the inſtructions to our officers at Port Egmont were of the moſt pacific nature; they had indeed orders, if the ſubjects of any other power attempted to make a ſettlement there, to warn them from it; but were directed not to uſe any force, and to refer the diſcuſſion of right to their reſpective ſovereigns: That ſo hoſtile a return, ſo oppoſite to thoſe inſtructions, and ſo contrary to the friendly and pacific profeſſions of both courts, could not fail of exciting the greateſt ſurpriſe and concern in his majeſty's breaſt; but that ſtill the circumſtance of M. Buccarelli's having acted without orders, left an opening which might prevent the bringing matters to extremities; he therefore aſked the ambaſſador if he had orders to diſavow the conduct of the governor? to which he replied in the negative, and that he could give no anſwer to the queſ-

tion till he had received inſtructions from home; he however at the ſame time expreſſed himſelf in the moſt conciliating terms, and deprecated all reſolutions and meaſures which, upon this account, might involve the two crowns in a war.

Lord Weymouth, upon a ſecond conference with the ambaſſador, demanded in his majeſty's name, as the ſpecific condition of preſerving the harmony between the courts, a diſavowal of the proceedings at Port Egmont, and that the affairs of that ſettlement ſhould be immediately reſtored to the preciſe ſtate in which they were previous to that act. He at the ſame time ſent inſtructions to Mr. Harris, to inform M. de Grimaldi, the Spaniſh miniſter of ſtate, of what had paſſed here, and of the propoſed ſatisfaction, which could alone put it in his majeſty's power to ſuſpend thoſe preparations, which, under the preſent circumſtances, his honour could not permit him to poſtpone.

M. Grimaldi expreſſed himſelf in very vague terms concerning the expedition and its ſucceſs; he ſaid, that we had reaſon to foreſee ſuch an event would happen, as their diſapprobation of our eſtabliſhment at Falkland's Iſlands was notorious, and that it had often been a ſubject of diſcuſſion; that he was however very ſorry it had taken place; and that a veſſel had been ſent from the Groyne, upon the firſt notice of the deſign, to prevent it; which had, however, unfortunately arrived too late. That he could not blame the conduct of M. Buccarelli, as it was founded upon the laws of America. That they were ſo very deſirous of peace, had ſo little to get, and ſo much to loſe by a war, that nothing but the laſt extremity could reduce them to ſo violent a meaſure; that all his catholic majeſty wiſhed for, was to act conſiſtently with his own honour, and the welfare of his people; and that ſo far as our demand was compatible with thoſe two points, there was no doubt of its being agreed to.

Upon a ſubſequent meeting with Mr. Harris, the miniſter informed him, that his catholic majeſty was determined to do every thing in his power to terminate this

affair

affair in an amicable manner; that therefore he admitted our demand; and that he aſſented to it, in every point conſiſtent with his honour, which, as well as ours, was to be conſidered. That however, as this matter could only be determined in London, the different ideas which had been ſuggeſted upon that head, had been tranſmitted to prince Maſerano; and that as they only differed from our requiſition in the terms, and not eſſentially, it was truſted that ſome one of them would be adopted; and that nothing could have induced them to condeſcend ſo far, but the great deſire of maintaining the harmony between the two crowns.

Prince Maſerano, in conſequence of theſe inſtructions, propoſed a convention to lord Weymouth, which he ſaid he had full powers to execute, and in which he was to diſavow any particular orders given to M. Buccarelli, upon this occaſion, at the ſame time that he was to acknowledge, that he had acted agreeably to his general inſtructions, and to his oath, as governor. That he would further ſtipulate the reſtitution of Falkland's Iſlands, without injury to his catholic majeſty's right to them; and he expected that his majeſty would diſavow captain Hunt's menace, which, he ſaid, gave occaſion to the ſteps taken by the governor of Buenos Ayres.

To this it was anſwered, that when the king's moderation condeſcended to demand of the court of Madrid the ſmalleſt reparation for the injury received that he could poſſibly accept, his majeſty thought there was nothing left for diſcuſſion, except the mode of carrying the diſavowal and reſtitution required into execution; that his majeſty adheres invariably to his firſt demand; and that without entering into the unſurmountable objections to the *matter* of this propoſed convention, the *manner* alone is totally inadmiſſible; for his majeſty cannot accept, under a convention, that ſatisfaction to which he has ſo juſt a title, without entering into any engagements in order to procure it. That the idea of his majeſty's becoming a contracting party upon this occaſion is entirely foreign to the caſe; for having received an injury, and demanded the moſt moderate reparation of that in-

jury his honour will permit him to accept, that reparation loſes its value, if it is to be conditional, and to be obtained by any ſtipulation whatever on the part of his majeſty.

Upon this anſwer, his excellency told lord Weymouth, that he had no power to proceed in this affair, except by convention, and that he muſt ſend to Madrid for farther inſtructions. His lordſhip in the mean time ſent an expreſs to Mr. Harris, to lay before the Spaniſh miniſter the unexpected obſtacles that had arisen in this buſineſs, and after ſtating the matter fairly, to demand a communication of his catholic majeſty's anſwer.

M. Grimaldi ſtill held very pacific language; it was however ſeveral days before Mr. Harris could obtain an anſwer, which was at length a favourable one, intimating that the king had ſent inſtructions to prince Maſerano, by which he was empowered to treat again upon this affair; and that the king was not only diſpoſed to give every reaſonable ſatisfaction for the ſuppoſed inſult, but was alſo ready to come into any method regarding the manner of giving the ſatisfaction, that ſhould appear moſt eligible to his Britannic majeſty, expecting however at the ſame time, that as he went ſuch lengths to ſave his honour, his own ſhould alſo be conſidered, ſo far as it did not interfere with the ſatisfaction that was to be offered; that the affair ſhould be now ultimately and deciſively terminated, without leaving behind it any traces, which might hereafter interrupt the harmony of the two courts; and that there ſhould be a reciprocal and authentic aſſurance of the whole being thoroughly accommodated.

This was ſaid to be the purport of the inſtructions ſent to prince Maſerano; and nothing could appear to be more ſatisfactory, or concluſive. The anſwer was given by M. Grimaldi, on the 7th of November, and was received here on the 19th, and was the laſt tranſaction, previous to the parliamentary diſcuſſion, that paſſed between Mr. Harris and the Spaniſh miniſter relative to this ſubject.

It

It appears that the terms propoſed, and the conduct obſerved by prince Maſerano, did not at all accord with the pacific profeſſions, and conciliatory ſentiments, which were adopted at Madrid; ſo that in four days after the arrival of this expreſs, lord Weymouth acquainted Mr. Harris, that the ambaſſador's language did not look like accommodation, and adviſed him to find ſome ſecure means of giving notice of it to the governor of Gibraltar, and to the Engliſh conſul at Cadiz. This was more explicitly confirmed in a letter of the 28th of the ſame month, in which his lordſhip ſeems to conſider a rupture as a matter almoſt inevitable, and gives ſeveral inſtructions founded upon that principle. This was the laſt letter written by lord Weymouth upon this ſubject to Madrid (December 15th); his reſignation took place about a fortnight after, when he was ſucceeded by the earl of Rochford, and the earl of Sandwich appointed to the northern department, in his room.

As it ſeemed difficult to account for lord Weymouth's reſignation, it accordingly excited ſome ſurpriſe at the time. The popular cauſe aſſigned for it was, that he had acted with a degree of ſpirit and firmneſs in the courſe of this buſineſs, which it was not thought neceſſary to ſupport, and from which he could not retract with propriety. This however ſeems to have been ill founded, as we find, by the immediate conduct of his ſucceſſor, that all hopes of the continuance of peace were totally at an end; upon which politicians conjectured, that judging war inevitable, and that in conſequence of a war a change in the miniſtry was more than probable, lord Weymouth left his colleagues to act for themſelves, and went out in order to make it a merit with thoſe who ſhould ſucceed.

The earl of Rochford wrote a letter to Mr. Harris, on the 21ſt of December, in which he informed him, that all negotiations with the Spaniſh ambaſſador had for ſome time been at an end, the anſwer to the king's demand being totally inadmiſſible; and that it being inconſiſtent with his majeſty's honour to make any farther

propoſal to the court of Spain, he was deſired to withdraw from Madrid with all convenient ſpeed.

Thus it appears that the negotiation was either at an end, or that all hope of its ſucceſs was nearly given up, by the latter end of November, and that Mr. Harris was ordered to withdraw from Madrid about three weeks after: Where, or in what manner it was again renewed, has never appeared to the public; nor was any document relative to it laid before the parliament, from this letter of recall written by the earl of Rochford, to another, deſiring Mr. Harris's return to Madrid, three days before the final concluſion of the convention.

The conduct obſerved by Spain, in this whole tranſaction, ſeems to have been full of duplicity and deſign; and whatever the cauſes were, that operated to the prevention of a war, it does not appear that they are to be ſought for in the pacific or friendly diſpoſitions of the court of Madrid. The public opinion, which ſeems in this inſtance to be well founded, has attributed the convention to the mediation of France, and it is probable, that the ſame internal cauſes which moved her to act as a mediator, were thoſe which prevented her from taking an active part as an ally. It was thought that the power of the duke de Choiſeul, who hurried on war, both at home and in Spain, began at that time to totter. Other counſels prevailed: In effect he was very ſoon after removed from his employment, and obliged to retire. However it was, the preparations in France kept pace for ſome time with thoſe in Spain; and if they were not finally applied to fulfil the original intention, they however filled that form that was neceſſary, in contributing to bring a friend out of a diſagreeable ſituation.

It would appear from the length of time allowed in ſo critical an emergency for the Chriſtmas receſs, that ſome opinion of the poſſibility of an accommodation ſtill remained, though the negotiation here was entirely at an end; and that upon whatever principle this opinion was founded, the meeting was deferred, until it was ſuppoſed that the grand queſtion of peace or war could

be

be finally decided, and the miniſter enabled to announce deciſively on the alternative.

During the receſs, ſir Edward Hawke reſigned his place of firſt lord of the admiralty, and was ſucceeded by the earl of Sandwich. About the ſame time, ſome of thoſe gentlemen who had been particularly attached to the late Mr. Grenville, and had, both as to acts and declarations, been among the moſt violent of thoſe in oppoſition, now came over to the ſide of adminiſtration, and the earl of Suffolk was appointed keeper of the privy ſeal, in the room of the earl of Halifax, who ſucceeded lord Sandwich as ſecretary of ſtate for the northern department. Several promotions alſo took place in the law departments; Mr. Bathurſt was created baron Apſley, and appointed lord chancellor, Mr. de Grey, chief juſtice of the common pleas, Mr. Thurlow, attorney, and Mr. Wedderburne, ſolicitor general, and alſo cofferer to the queen. Some other changes took place, as well in the law as in other departments.

It was not till the very day* of the meeting of parliament, that the declaration was ſigned by prince Maſerano, and the acceptance by the earl of Rochford. By the former, the ambaſſador, in the name of his maſter, diſavowed the violence uſed at Port Egmont, and ſtipulated that every thing ſhould be reſtored there preciſely to the ſame ſtate, in which they were before the reduction; but at the ſame time declared, that this reſtoration was not in any wiſe to affect the queſtion of the prior right of ſovereignty of thoſe iſlands: And by the acceptance, the performance of theſe ſtipulations was to be conſidered as a ſatisfaction for the injury done to the crown of Great Britain.

This tranſaction was immediately announced to both houſes, and copies of the declaration and acceptance were ſoon after laid before them. An addreſs was then preſented, for copies of all claims and propoſitions made by the court of Spain relative to Falkland's Iſland from the firſt ſettlement of it; together with the anſwers;---

* January 22, 1771.

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alſo, copies or extracts of all letters and other papers, which contained any intelligence received by the officers of ſtate, touching the commencement of hoſtilities, or any warning or other meaſures, indicating the hoſtile intentions of the court of Spain, or any of its officers, againſt the ſaid iſland, and of the reduction and capitulation of it;--as alſo, of the demands made by the miniſters for ſuch reparation as there was a right to expect for the injury received, and the inſult upon the honour of the crown in ſeizing the iſland by force, and for obtaining ſecurity for the rights of the people, which were deeply affected by that injury, together with the anſwers; and of all repreſentations made to the court of Spain, ſince the firſt intelligence of its hoſtile intentions, as well before as after the place was taken; and of the letters and inſtructions ſent to the miniſters at the court of Spain, and of all letters received from them.

A number of papers were accordingly laid before the houſe, conſiſting of letters, proteſts, and warnings, which had paſſed, or been tranſacted, between the Spaniards and our officers, at Falkland's Iſland, from the 30th of November 1769, to the ſigning of the capitulation, on the 10th of June 1770; together with the articles of capitulation, liſts of ſtores, and the letters written to the admiralty by the captains Hunt, Maltby, and Farmer. To theſe were added, the correſpondence between lord Weymouth and Mr. Harris, from the letter written by the latter, giving an account of the Spaniſh intelligence brought from Buenos Ayres, on the 23d of Auguſt, to the laſt which was written by the former, ſome ſmall time previous to his reſignation, on the 28th of November; alſo the letter of recall, written by the earl of Rochford on the 21ſt of December, and another, on the 18th of January 1771, which contained inſtructions to Mr. Harris, to go back to Madrid, and to reſume the functions of his office.

It was obſerved upon the examination of theſe papers, that the terms of the addreſs had not been complied with, and that no one paper, relative to the claims or repreſentations made by the court of Spain, ſince the firſt ſettle-

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ment of Falkland's Iſland, or of the anſwers given, were amongſt them, though they had been particularly ſpecified and required; that the firſt letter of lord Weymouth's, which appeared, was marked in the office, No. 10; that there was a long chaſm of near two months, in which, except two ſhort letters from the earl of Rochford, no paper or tranſaction of any ſort appeared; and that it was not ſhown, in what manner the negotiation had been again reſumed, after it had been totally dropped, and our miniſter was ordered to quit Madrid, which he actually complied with. It was ſaid, that either there was ſomething in this matter which could not bear the light, and that adminiſtration, in order to hide it from the public, and to give ſome colour to their conduct, were obliged to conceal ſome papers entirely, and to garble and mutilate thoſe which they produced; or elſe that they did not think the houſe worthy of an anſwer.

To this it was replied, that all the offices had been ſearched, and ſuch papers as had been found in them, were now before the houſe, and that they knew of no others; that many of the ſuppoſed tranſactions, if ſuch there were, muſt in courſe of time have taken place before ſeveral of the preſent gentlemen in the office had filled their reſpective departments; that if any other matters had been tranſacted between the two courts, they were perhaps carried on verbally; or if otherwiſe, they could give no account of them; that they had a ſufficient number of papers before the houſe, to enable them to judge of the conduct of adminiſtration in this negotiation, whether they had done enough to ſatisfy our prudence and our honour? and whether they had laid the baſis of a ſolid and reputable agreement with Spain, or given up the rights and character of the crown to his catholic majeſty? In a word, that the ſingle queſtion was, whether they deſerved cenſure or approbation for what they had done?

The interference of France in this negotiation, became alſo a ſubject of much diſcuſſion, and motions nearly ſimilar were made in both houſes, for an addreſs

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to his majesty for information whether that court had so interfered; and in case it had, for directions to lay before them an account of all transactions between his majesty's ministers and those of the French king relative to it.

It was urged in support of these motions, that there were many apparent reasons for thinking, that the negotiation had been only resumed again through the mediation of the court of France, and that it was evident the declaration had been in a manner extorted by that influence, without any disposition on the side of Spain, either to give the smallest satisfaction, or to make restitution. That the minister's denial of this transaction was not by any means sufficient; the nation are not to take the word of any minister, let his credibility be ever so great, in a matter of such importance. If there had been no such transaction, the king would say so, and his word, which must be believed, would be pledged to the public for it; but if there had, it was fit they should be made acquainted with it, that the authors of so pernicious a measure, tending to give a sanction and efficacy of the most dangerous and fatal nature to the family compact, might be brought to a public and exemplary punishment.

Upon a total denial of the existence of any letters or papers between the French court and ours, relative to the negotiation, the question was proposed to the minister, whether France had not interposed as a *mediator?* to which it was answered, that France had not been employed by England to act as a *mediator*; that the word, interposed, was a word of an extensive and indefinite signification, and should not be replied to as a question; that the papers they had required were before them, and it was a new doctrine, instead of papers, to ask for verbal negotiations; that an affair in which the general peace of Europe was involved, must naturally interest all the powers in it, and they would all necessarily interpose in some manner or other; and that it was manifest that there had been no dishonourable interposition, from the terms of the declaration, which had given us all the satisfaction we had, from the first, desired.

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Several objections were made to these answers; and it was said, that if the house could obtain neither any information nor satisfaction, relative to verbal transactions, an end might be put to every species of inquiry, as the minister would have nothing more to do in order to preclude it, than to say that the transaction, of however dangerous a complexion, had been merely verbal. Upon the question being put, the motion was however rejected by a prodigious majority in both houses.

The convention was violently attacked by the opposition both within doors and without. It was said to be a most daring act, to accept in the king's name of a declaration, by which the right of sovereignty of the island was brought into dispute; that the declaration, as it now stood, was a perpetual record against us, and would justify Spain in the eyes of all Europe for taking up arms against us, whenever she found herself in a condition to do it with safety and effect; that the Spanish ministers had formerly attempted to make this right a matter of discussion; but that the ministers of that time had too tender a regard for the rights and honour of the nation, to admit its being in any manner made a matter of doubt.

Thus, it was said, that the present convention was so contrived, as to be equally unsafe and disgraceful; so that, instead of having provided a reparation for former hostilities, or a security against future, it contained in itself the genuine seeds of hostility and war: That it was as dishonourable to the crown itself, as to the nation; and that admitting the language, which it seemed fashionable now to hold, that the dignity of the former, and reparation to it, are the only objects of consideration, it would be found as shamefully deficient in this respect as in any other, and that the honour of the crown had not been set by it upon a par with the honour of inferior kingdoms. In support of this assertion, the conduct of France in the case of Mandrin was cited; in which the monarch, for a small violation of territorial right, in the pursuit of an outlawed smuggler, and murderer, thought it necessary to send an ambassa-

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dor extraordinary to the king of Sardinia, to apologize for it in the moſt ſolemn and public manner. A late and ſimilar inſtance was alſo quoted, in which we were ourſelves a principal party, when our fleet under admiral Boſcawen, in the purſuit of our enemies, deſtroyed ſome French ſhips upon the coaſt of Portugal, upon which occaſion we ſent an ambaſſador extraordinary to the court of Liſbon, to make reparation in honour; could it then be pretended that the preſent convention was a reparation in honour, equivalent to that made by France to Sardinia, or Great Britain to Portugal? or if it was not, that the honour and dignity of the crown had been provided for?

That we had been ſhamefully trifled with in the courſe of a protracted negotiation, ſo that the affront was rendered doubly injurious by the delay; and after four months arming and negotiating, and being put to an expenſe of three millions, we were to ſit down where we were, without any ſatisfaction for the injury, or the ſmalleſt recompence for the enormous expenſe. That upon this ſyſtem, it was in the power of any petty ſtate to ruin us, by offering repeated inſults, and putting us to immenſe expenſes in preparations; while we were in the ſingular ſituation of experiencing all the evil conſequences of a war, without a poſſibility of reaping any of its benefits, till our trade was entirely ruined, and our public funds, by deſigned and repeated ſhocks, fallen a prey to the rapacity of foreigners, and to the deſigns of ſharpers and jobbers at home.

It was objected to the declaration, that the reſtitution in it was confined to Port Egmont, though Spain herſelf originally offered to cede Falkland's Iſland; and that as the violence ſhe committed was under pretence of a title to the whole, the reſtitution ought therefore not to have been confined to a part only; nor ſhould it have been accepted, in narrower or more ambiguous words than the claims of Spain, on which that act of violence was grounded, and than the offers of reſtitution which ſhe originally made. That it appeared that the court of Madrid had diſavowed the act of hoſtility, as proceeding

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from particular instructions, but justified it under her general instructions to her governors; under the oath by them taken, and under the established laws of America; that this general order has never been disavowed or explained, and that no explanation or disavowal of it has been demanded by our ministers: And that this justification of an act of violence under general orders, established laws, and oaths of office, is far more dangerous and injurious to this kingdom, than the particular enterprise which has been disavowed, as it evidently supposes that the governors of the Spanish American provinces are not only authorised, but required, without any particular instructions, to raise great forces by sea and land, and to invade our possessions in that part of the world, in the midst of profound peace. That therefore a power so unprecedented and alarming, under which the Spanish governor was justified by his court, rendered it the duty of our ministers to insist upon some censure or punishment upon him, as well to demonstrate the sincerity of the court of Madrid, and her desire to preserve peace, as to put some check upon the exercise of those exorbitant powers said to be given to her governors; yet though they were authorised to call for such censure and punishment, not only by the acknowledged principles of the law of nations, but also by the express provision of the 17th article of the treaty of Utrecht, their negligence, pusillanimity, or ignorance of the first principles of public law, have been so glaring, that they have been totally silent on so necessary an article of public reparation.

It was said, that by taking no notice of the Manilla ransom in this convention, all claim to it was tacitly relinquished; by which the captors were indirectly robbed of their indisputable property, which had been guarantied to them by the public faith of the kingdom at the last peace; and which was doubly due to our gallant sailors and soldiers, because their humanity was equal to their courage, and proved as serviceable to the inhabitants of Manilla, as it was honourable to their country: That this was no less an injustice to the con-

querors, than to the common intereſts of mankind; which muſt ſuffer the moſt dreadful conſequences in future wars, from a recollection that there is no faith to be expected from the enemy, nor any hope of ſuch vigour, juſtice, or gratitude in government, as would exact it.

Many other objections were made, which either related to the convention, or to the conduct of the miniſters previous to it.---The having neglected to make timely repreſentations to the court of Spain;---the having neglected to make timely preparations;---the having totally omitted many parts in their original demand of reparation, eſſential to the honour of the crown and the rights of the people; particularly in having neglected to demand ſatisfaction for the affront offered to the Britiſh flag, by the detention and taking off the rudder of his majeſty's ſhip;---that they had not, in any part of the negotiation, aſſerted his majeſty's right to Falkland's Iſlands, or even to Port Egmont; but had been ſo totally inattentive to that right, as to neglect laying in the claim thereto, in oppoſition to the claim of the catholic king, which was aſſerted by the Spaniſh ambaſſador in his declaration, and which extends to the whole of thoſe iſlands; and that no explanation of the principles of this excluſive claim of ſovereignty had been required, though there are good reaſons to believe, that theſe principles will equally extend to reſtrain the liberty and confine the extent of Britiſh navigation. The whole tranſaction was therefore deſcribed as a ſtanding monument of reproach, diſgrace, and diſhonour, which, after an expenſe of ſome millions, ſettled no conteſt, aſſerted no right, exacted no reparation, and afforded no ſecurity.

On the other ſide it was ſaid, that the ſatisfaction given, was equal to what the nation had a right to expect, or the king to obtain; that our diſputes with Spain were on a point of honour, not a matter of right; that Spain having offered an affront to England in diſpoſſeſſing her of a fort and iſland in time of peace, the national ſatisfaction to be demanded was reſtoration of

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what had been taken, and disavowal, on the part of the Spanish king, of the enterprise of his governor; and that both these points having been obtained, the honour and dignity of England had been fully supported and satisfied.

That the claim of title to Falkland's Islands had been a matter of dispute, and never once allowed, from its being first set up; that the claims on either side were so equivocal and uncertain, as to afford room for endless discussion, while the question of moral or legal right may be for ever unsettled; that the doctrines held at present by the Spaniards upon this subject were nothing novel; their language and temper were at all other times the same in regard to it; we accordingly find, that when the first intended expedition to those islands had been planned under the auspices of lord Anson, the court of Spain opposed the measure then, as they had done since, and our government thought proper to relinquish the design, and let the claim continue dormant.

That the first insult had in reality been offered by our people, who had warned the Spaniards to depart from their habitations on an island which they considered as their own, and in which they regarded us as rude and violent intruders: That Spain had now given up the island, without insisting on her right, and what farther should we expect from a war, supposing it successful? And that nothing could be more humiliating on the one side, and more complete in regard to satisfaction and the support of dignity on the other, than the circumstance of the Spanish king's being obliged, in the face of all Europe, to disavow the act of his officer in the execution of his own orders.

That in the present complicated state of interests, commerce, and intercourse between the different states of Europe, if they were to enter into punctilious niceties of honour upon every matter of dispute or discussion that must continually arise between their respective subjects, the whole world would become a constant scene of devastation and slaughter. That our dignity being se-

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cured, our intereſt, above all nations, required us to live at all times upon the moſt amicable terms with Spain; that we are connected by the cloſeſt ties of commerce, and the ſtrongeſt bands of inclination. That forcing a war in the preſent inſtance, would immediately have joined France to Spain in a common cauſe againſt us, which would neceſſarily cement that union between them, of which we were already ſo jealous; but that by the prudent conduct which had been obſerved, the ſlackneſs of the former in offering its aſſiſtance upon a caſe of ſuch emergency, might probably and naturally produce a coldneſs and diſlike between the two powers.

An addreſs was accordingly moved for (February 13), to return thanks for the communication of the Spaniſh declaration;---to teſtify their ſatisfaction at the redreſs that had been obtained;---and to aſſure his majeſty of their affectionate and zealous ſupport upon every occaſion.

It was objected to this addreſs, that it was to return thanks for the acceptance of an imperfect inſtrument, which had not yet, and might poſſibly never be ratified, and which had not been previouſly authoriſed by any full or ſpecial powers which had been produced by the Spaniſh ambaſſador; that it would be equally ridiculous and degrading to return thanks for an imaginary peace, while the reſult might ſhow us involved in a real war; and that it would be a direct inſult on the underſtanding of the people, to aſſure them of the reſtoration of tranquillity, whilſt the greateſt preparations for war were making, both by ſea and land, and the practice of preſſing continued (to the great detriment of their commerce) as in times of the moſt urgent neceſſity.

The gentleman who had moved for the Spaniſh papers, ſaid, that he thought, according to the eſtabliſhed courteſy of the houſe, he would have been entitled to take the lead in any propoſition upon what they contained; but ſince that was not permitted, he moved for an amendment, by leaving out the latter part of the addreſs, which contained an approbation of the conduct of the miniſters, and retaining only the former part,

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which returns thanks for the communication of the papers; in order, he ſaid, that an examination of the facts which appeared in the correſpondence and declaration might precede, as in reaſon it ought, any reſolution either of approbation or of cenſure. He then read to the houſe a ſtring of reſolutions under thirteen heads, which were founded upon the facts that appeared in the papers, and took in moſt of the exceptions that had been made to the different parts of this tranſaction, all of which he intended to propoſe, if his motion for the amendment took place.

It was ſaid on the other ſide, that there was no doubt of Spain's ratifying the convention; that the putting the nation in a proper ſtate of defence, and the navy in a reſpectable ſituation, would have been in any caſe a neceſſary meaſure, and it was ſtrange now to find fault with it, after ſo many complaints as had been made upon thoſe heads; that the addreſs was couched in very modeſt terms, and not a fulſome compliment to adminiſtration; and that it was particularly neceſſary, to ſhow Spain that we were ſatisfied, and that ſhe need be under no further apprehenſions of war. The queſtion being at length put upon the amendment, in a very full houſe, it was rejected by a conſiderable majority, there being 271 for the original addreſs, againſt 157 who voted for the amendment.

The addreſs of the lords was much fuller of approbation than that of the commons, and was notwithſtanding carried through with a much greater proportional majority; it was however productive of a moſt nervous and argumentative proteſt, which was ſigned by nineteen lords. Though it did not appear from the papers ſubmitted to the houſe, yet it was generally underſtood that by a *ſecret* article Falkland's Iſlands were to be evacuated by the Britiſh within a limited time.

Though it would have redounded little to the honour of the adminiſtration, to have precipitated the nation into all the horrors and calamities of war, for the ſake of an object ſo inſignificant and contemptible as the poſſeſſion of two or three barren rocks under a ſtormy ſky; yet great and heavy cenſure neceſſarily falls on the former miniſter, Mr. Grenville, who, knowing the na-

ture and extent of the claim of Spain, and the eventual probability of a rupture, would raſhly riſque ſo great a calamity for what at beſt could only be conſidered as a trivial and uncertain advantage. He ſhould have conſidered, that, however extravagant the pretenſions of Spain might be reſpecting the empire of South America, and the ideas entertained by her of Britiſh encroachment, the pride of Great Britain would have been equally alarmed, and her intereſts ſuppoſed to be equally endangered, if Spain had attempted to form a ſettlement in any part of the immenſe and frozen regions of Hudſon's Bay, or the diſmal wilds of Labradore, ſtretching to the Arctic pole. Miniſters and ſtateſmen ought to act conſiſtently, and reſpect thoſe rights, whether real or imaginary, in others, which they dare unbluſhingly to claim for themſelves.

As the houſe of commons had come to a reſolution, in the laſt ſeſſion, to adhere to the ſpirit of their former proceedings in the Middleſex election, and the peers reſolved not to interfere with that buſineſs, the oppoſition had no hope of ſucceſs in their endeavours to prevent the caſe of Mr. Wilkes being eſtabliſhed as a precedent. They thought themſelves, however, obliged in honour to renew the diſcuſſion; which now began to be conſidered rather as an annual proteſt againſt the precedent, than a ſerious attempt for redreſs. A principal member of the oppoſition, therefore, moved, on the 7th of February, to bring in a bill to aſcertain the rights of the electors, in reſpect to the eligibility of perſons to ſerve in parliament. As the arguments on this occaſion were only a recapitulation of thoſe which had before occurred in the frequent diſcuſſion which this ſubject had already undergone, it is only neceſſary to obſerve that the motion was rejected by 167 votes againſt 103.

A remarkable bill was about this time introduced into the houſe of commons, and paſſed; which, by the unanimous and zealous concurrence of all parties in its ſupport, reflected much honour on the houſe. This was a bill for diſfranchiſing a very large proportion of the freemen of the borough of New Shoreham, and for extending the right of voting to the contiguous hundreds.

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It appeared in evidence, before the ſelect committee, appointed under the Grenville act to try the merits of the late election for this place, that a great number of the freemen of the borough had formed themſelves into the ſociety under the name of the *Chriſtian club*. Under the ſanction of piety and religion, and the cover of occaſional acts of charity, this club eſtabliſhed a mart for making a traffic of their oaths and conſciences, and ſetting their borough to ſale to the higheſt bidder, while the reſt of the freemen were deprived of every legal benefit from their votes. The attorney-general was, in conſequence of an addreſs of the houſe to the king, ordered to proſecute the perſons compoſing the junto of the club, who had diſtinguiſhed themſelves as the peculiar agents of infamy on this occaſion. The nation, though incenſed at ſome other meaſures, could not avoid applauding the ſpirit and conſtitutional tendency of this bill. Some branches of this ſubject, however, run through the whole ſeſſion, and it was not till the laſt day of it that the bill received the royal aſſent. The members of the club were heard by counſel againſt it: Many doubts aroſe as to the mode of puniſhment for the five members who compoſed the committee of the Chriſtian club, which tranſacted the bargain as to the ſale of the borough at the laſt election. By the bill eighty-one members, by name, of the borough of Shoreham, were incapacitated from voting at elections of members to ſerve in parliament.

Some extraordinary events reſpecting the liberty of the preſs, which happened about this time, are next to be recorded. The liberty of the preſs had been allowed to extend to very great lengths: While the executive power retained its full force, the progreſs of this liberty towards licentiouſneſs was ſlow and ſecret; but ſince the time when popular diſcontent armed the nation againſt the fear of juſtice, the advance became more rapid.

The licentiouſneſs of the preſs about this time had ariſen to ſuch an height, that no character however good, no rank however elevated, was exempted from the voice of calumny; if not from the writers of one

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party, at leaſt from thoſe of another: It was hard to ſay on which ſide the moſt intemperate violence appeared. Some gentlemen of the houſe of commons, whoſe ſpeeches had been miſrepreſented in the papers, and whoſe characters had been aſperſed, endeavoured to put a ſtop to the licentiouſneſs of the preſs. A motion being, therefore, made for calling two of the printers to an account, it was carried by a great majority. Upon the printers' not anſwering the meſſenger's call, a motion paſſed that they ſhould be taken into the cuſtody of the ſergeant at arms. This ſtep being found inſufficient alſo, a royal proclamation was iſſued for apprehending Wheble and Thompſon, the two printers, and a reward of ſixty pounds was annexed. When the former was taken and carried before alderman Wilkes, he was diſcharged and bound over to proſecute the perſon who apprehended him; his companion Thompſon was diſcharged in the ſame manner. J. Miller, a printer, who had refuſed to attend, was taken into cuſtody from his own houſe by a meſſenger of the houſe of commons: Miller ſent for a conſtable, who carried both him and the meſſenger before Mr. Croſby, the lord-mayor. That gentleman, together with the aldermen Wilkes and Oliver, not only diſcharged the printer, but required the meſſenger to give bail to anſwer the complaint of the printer againſt him, for daring to ſeize him in the city, without the order of a magiſtrate, and, upon his refuſing to do ſo, they ſigned a warrant for his commitment to priſon, upon which he conſented to give bail, and was ſuffered to depart. The commons, reſenting this contempt of their authority, ordered the lord-mayor and the two aldermen to appear before them. Mr. Croſby and Mr. Oliver, as members of the houſe, appeared in their places; but Mr. Wilkes refuſed to appear unleſs he was permitted to take his ſeat for Middleſex. As they had no method of compelling the latter gentleman, they contented themſelves with puniſhing the two former. They were accordingly ſent to the Tower, where they continued in confinement till the end of the ſeſſion; when, on the riſing of parliament, the

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lord-mayor and the alderman were releaſed from the Tower, and they were welcomed by the moſt diſtinguiſhing demonſtrations of congratulation from their fellow-citizens.

As the proceedings on this buſineſs may ſerve to eſtabliſh ſome facts for the ſpeculation of poſterity, a few of them ſhall be recorded: The houſe of commons appointed a ſpecial committee for examining into the cauſes of the obſtructions to the authority of that houſe; this committee ſat from the 28th of March to the 30th of April. In their report, the committee obſerved, that, in ſearching the journals diligently, they did not find an inſtance, that any court or magiſtrate had preſumed to commit, during the ſitting of parliament, an officer of the houſe for executing its orders; and that they were not able to find that there had ever been an inſtance wherein that houſe had ſuffered any perſon, committed by its order, to be diſcharged during the ſame ſeſſions, by any other authority whatever, without again committing ſuch perſons. As, therefore, J. Miller, who was delivered from the cuſtody of the meſſenger, by the lord-mayor, who, for the ſame offence, was then under the cenſure of the houſe, the committee recommended to the conſideration of the houſe, whether it was not expedient that the houſe ſhould order that the ſaid J. Miller ſhould be taken into the cuſtody of the ſergeant at arms, attending that houſe, and to call upon the magiſtrates and officers of the peace for ſuch aſſiſtance as the ſergeant at arms might find neceſſary to enable him to take the ſaid J. Miller into cuſtody.

A bill was at this period brought into parliament for enabling certain perſons to encloſe and embank part of the river Thames adjoining to Durham-yard. This bill ſerved to increaſe, rather than diminiſh, the public diſcontents; it being conſidered as an invaſion of the property claimed by the city of London in the ſoil or bed of the river: But, whatever might be the motives in which this bill originated, or whatever imdemnification the city of London might be entitled to expect as proprietors of the ſoil, certain it is, that the magnifi-

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cent and ſtupendous pile of buildings, conſtructed in virtue of this act, under the appellation of the Adelphi, will remain to future times a noble monument of architectural genius and utility; and will be conſidered as reflecting honour on the reign of George the Third, when the vaſt ſums expended in ſubſidies, penſions, and extravagant grants to the crown, are conſigned to indignation or oblivion.

The only buſineſs in this ſeſſion of parliament that now remains to be recorded relates to the Eaſt-India company. It was moved that two thouſand men ſhould be raiſed in England, the officers over them to be appointed by the king, but paid by the company, in order to defend and protect their ſettlements. This regiment was to conſiſt partly of German and Engliſh proteſtants, and partly of Iriſh catholics. The propoſal occaſioned much ſpeculation, and, after being amply diſcuſſed in the houſe, it was rejected. The reaſons for rejection were principally theſe, that it was unconſtitutional and dangerous to keep an armed force in the kingdom, while that force was not paid by government, and that, however inconſiderable the propoſed number at preſent appeared to be, it might be eaſily increaſed on many frivolous and ſpecious pretences. Another argument was added from the obſtruction which would be given to the recruiting ſervice for our own army, as the proſpects derived from enliſting in the company's ſervice were more flattering to the common people than any the army could preſent. The advocates for the company reſted their plea on the inconvenience, and at the ſame time the expediency, of ſending out a ſufficient number of men annually to India, and that, unleſs the parliament ſhould adhere to a promiſe made ſome time ago to aſſiſt them in recruiting, they would be daily expoſed to infinite loſs and expenſe from the tricks of ſwindling recruiting parties. Every method was tried, and every modification of the firſt motion was offered, in order to make this bill paſs, but, on the third reading, it was rejected, principally by gentlemen of the military profeſſion.

Such

Such were the principal tranſactions of this ſeſſion of parliament, equally remarkable for the variety of the buſineſs and the importance of the ſubjects that were diſcuſſed in it. In the ſpeech from the throne, at the termination of the ſeſſion on the eighth of May 1771, his majeſty congratulated the parliament on the proſpect of a permanent continuance of peace, and earneſtly exhorted them to diſcourage and ſuppreſs all groundleſs ſuſpicions and domeſtic diſturbances, in order that the national happineſs might be rendered complete. His majeſty declared, "that he had no *other object*, and could have no other intereſt, than to *reign in the hearts* of a free and happy people;" and that the ſupport of the conſtitution was a common duty and intereſt, and by that ſtandard it was wiſhed that the people would try all public principles and profeſſions, and look upon thoſe as their moſt dangerous enemies, who, under any pretence whatſoever, would perſuade them to violate thoſe laws, and undermine that authority, which the conſtitution had provided for the purpoſe of preſerving the general liberty and happineſs.

Upon this generous declaration of king George the Third, it may be obſerved, that, if his majeſty had no "other object than to reign in the hearts of a free and happy people," he has hitherto been peculiarly unfortunate in the choice of thoſe means and miniſters which he had employed for the attainment of his benevolent and laudable purpoſe.

Very few events of importance during the receſs demand our notice. The members of the oppoſition began to be weary of their repeated defeats and diſgraced remonſtrances; and, from many of them having taken an active part againſt the printers, they loſt much of that popularity on which they ſeemed formerly to depend. They were now, indeed, much leſs numerous and aſſiduous than before. Many of Mr. Grenville's friends had gone over to the other ſide; and as almoſt every motion that came from the miniſtry was carried by nearly two to one, the minority were very careleſs of ſtrengthening that party which they were convinced

would

would always be too weak. The printers and magiſtrates, however, received every mark of public regaid; and when, on the riſing of parliament, the lord-mayor and the alderman were releaſed from the Tower, they were welcomed, as has been intimated, by the moſt diſtinguiſhing demonſtrations of congratulation. A mob, as uſual, enforced their arguments in favour of illuminations by breaking the windows of the refractory; nor did ſome of the members of the houſe of commons eſcape the general violence. The city even went ſo far as to appoint a committee to carry on a proſecution againſt the ſpeaker, for committing its magiſtrates to the Tower; but this meaſure proving ineffectual, they had recourſe once more to the eſtabliſhed mode of addreſſing the throne. Accordingly the lord-mayor and other city officers, on the tenth of July, waited on the king with an addreſs, remonſtrance, and petition. The ſubjects of the remonſtrance were, the proceedings againſt the magiſtrates, and the Durham-yard bill; and the petition was for the ſpeedy diſſolution of parliament. His majeſty, in anſwer, expreſſed his readineſs to redreſs real grievances, but was ſorry to find that the preſent petition ſtill renewed requeſts which he had repeatedly refuſed to comply with.

The ſummer and autumnal months rolled away in a fort of ſullen languor, and no changes took place among the miniſtry but ſuch as were in conſequence of deaths. The earl of Suffolk was appointed ſecretary for the northern department, in the room of the earl of Halifax, deceaſed, who was a generous, liberal, and accompliſhed nobleman; but as a miniſter unpopular and unfortunate. He was one of the few whigs who enjoyed any ſhare of court favour during the preſent reign; but tory maxims were unhappily predominant, and his ambition induced him to acquieſce and temporiſe. The duke of Grafton ſucceeded the earl of Suffolk as keeper of the privy-ſeal. Lord Strange dying was ſucceeded by lord Hyde as chancellor of the dutchy of Lancaſter.

The ſcarcity of events, during the receſs of parliament, furniſhes an opportunity of making a digreſſion from

from the common ſubject, and giving an account of the conteſt between Ruſſia and Turkey, and the ſtate of the other European nations.

The war upon the Danube ſeemed to languiſh in the beginning of the campaign of 1771. The conquerors as well as the vanquiſhed were exhauſted. The great victories gained by the Ruſſians were not bloodleſs on their ſide; and the loſs of men by ſickneſs, and the various incommodities that attended the carrying on of a war, at ſo great a diſtance from home, was prodigious. As the neighbouring provinces were ruined by the war, the means of ſubſiſtence became more difficult in proportion to its length, and the expenſes, of courſe, enormous. Loans were negotiated in foreign countries at a high intereſt; nor were the attempts to procure money by that means every-where ſucceſsful.

The different poſts which the adverſe armies poſſeſſed on the Danube, together with that ſpirit of enterpriſe on the one ſide, which is always the conſequence of ſucceſs, were however productive of ſeveral ſmall engagements, in which the fortune of Ruſſia generally preſerved its uſual ſuperiority. Of theſe we have but few particulars, nor were they productive of any conſequences that make them very intereſting. We find that in the month of March, a conſiderable body of Turks, ſaid to amount to 10,000, were beaten out of Giurgewo, on the Walachian ſide of the Danube, where they were ſtrongly entrenched, under the cover of a caſtle well furniſhed with cannon. The Turks are repreſented upon this occaſion to have made a moſt obſtinate defence, and the action to have been very bloody on both ſides. Some of the Ruſſian officers, particularly general Weiſman, undertook ſome deſultory expeditions to the Bulgarian ſide of the river, in which, from the relaxation of diſcipline, and the want of vigilance on the ſide of the enemy, they met with great ſucceſs in ſurpriſing ſeveral of their poſts, routing their parties, and deſtroying the magazines.

The conqueſt of Crim Tartary was undoubtedly the great object of this campaign. It was, however, neceſſary that the grand army ſhould be formed upon the

Danube, for the protection of the new conquests; but it would have been neither good policy, nor does it seem to have been any part of the intention of the court of Petersburgh, that it should have been exhausted by an attempt to extend them on the side of Bulgaria; a measure which would have been attended with insuperable difficulties, and much danger. Thus the war on the Danube was this year in general defensive.

The second Russian army was conducted by prince Dolgorucki; count Panin, who had gained so much honour in the conquest of Bender, having, for some causes with which the public were not acquainted, obtained leave to resign the command. This army is said to have consisted of about 40,000 men, and was destined for the conquest of the Crimea; an enterprise of the greatest importance to Russia in the two great points of view, of detaching the Tartars totally from the Turks, and of establishing herself mistress of the Black Sea; while the Porte, in the present state of its affairs, and situation of its forces, was but ill qualified to prevent its taking effect, and the Tartars were little able to cope with the Russians in the field, and still of less use in the defence of lines and fortifications.

The peninsula now called Crim Tartary, and anciently the Taurica Chersonesus, is surrounded on all sides by the Black Sea and the Palus Meotis, except where it is joined to the continent of Little Tartary by a narrow isthmus, something less than five English miles in breadth. This isthmus has received its name from the ancient city of Precope, which is built at its entrance on the side of the peninsula, and has been celebrated for the strong lines made for its defence by the Turks, which extend quite across, from the Black Sea to the Palus Meotis, and were the labour of 5000 men for a course of several years. The Tartars considered these lines as inexpugnable, until the famous count Munich convinced them of their error in the year 1736, when he forced them without much difficulty. This must however in a great measure be attributed to the badness of the defence, as the ditch was 72 feet broad, and 42 deep; the height,

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from the bottom of the ditch to the creſt of the parapet, was 70 feet, and the parapet of a proportional thickneſs. The lines were alſo, at that time, beſides the fortifications of the city, ſtrengthened with ſix towers mounted with cannon, and the whole was defended by an army. The peninſula lies between 33 and 37 degrees of eaſtern longitude, and between 44 and 46 degrees of northern latitude; is naturally fertile, and was, firſt, under the government of the Greeks, and afterwards in the hands of the Genoeſe and other Italian nations, a place of great trade, and filled with populous towns and cities.

Prince Dolgorucki having arrived in view of the lines at Precop, found that they were defended by the Chan Selim Guery in perſon, with an army, it is ſaid, of 50,000 Tartars, and 7000 Turks. Notwithſtanding this force and the ſtrength of the lines, the Ruſſian general made the neceſſary diſpoſitions for an aſſault, which he put in execution early in the morning (June 25), two days after his arrival. The Tartar prince behaved with great courage, and when he found it impoſſible to rally his right wing, went and charged bravely at the head of the left. All his efforts were however fruitleſs, and nothing could withſtand the ardour and impetuoſity of the Ruſſians. The aſſault was begun at two o'clock, and at ſix the lines were forced in every part, and the Tartars totally routed.

The conquerors took a number of cannon and other trophies, and yet loſt but very few men. The Turkiſh garriſon of Precop ſurrendered that city the next day, and could obtain no condition for themſelves, except that of being received priſoners of war. The fortune of this day gives a ſtriking inſtance of the total inefficacy of fortifications, arms, and a courage, however great, which is irregularly conducted, when oppoſed to the cool, ſteady diſcipline of regular and veteran troops; an obſervation which will frequently occur to our readers in the tranſactions of this war.

The Ruſſians now over-run the peninſula at will; the Turkiſh garriſon deſerted Koſtoff without waiting for

their arrival, and having deſtroyed the fortifications, embarked, on board ſome ſhips that were in the harbour, for their own country. Arabat ventured to make ſome reſiſtance, but was taken by ſtorm, and the garriſon cut to pieces. Prince Dolgorucki directed his march to Caffa, a very conſiderable city, and the metropolis of the Crimea, where, having defeated a conſiderable body of the enemy under the walls, moſt of the Turks took the advantage of the ſhips in the harbour to make their eſcape, after which the city was ſurrendered without oppoſition by the Seraſkier; the remains of the garriſon, which conſiſted of about 1000 men, were made priſoners of war.

The terror was now ſo great, that the Turks, without waiting for the ſight of an enemy, abandoned the important fortreſſes of Taman, Jenicola, and the caſtle of Kertſch, which commanded the ſtreights between the Black Sea and that of Azoph, and which now fell into the hands of the Ruſſians without any troubie. The Tartars every-where ſubmitted, and entered into conditions with the conquerors and their unfortunate Chan, having made his eſcape to Conſtantinople, it is ſaid he died there of grief. Thus the whole peninſula of Crim Tartary, except the ſingle province of Ballaclava, was conquered in leſs than a month, and the Ruſſians not only obtained poſſeſſion of the beſt ports upon the Black Sea, but the ſea of Azoph became ſo entirely encloſed within their power, as totally to ſhut out all other nations from any communication with it.

During theſe tranſactions, the Turks made efforts to open the campaign on the ſide of the Danube, and Mouſſon Oglou, having croſſed that river with 18,000 men in three bodies, he united two of them, and ſent them to the relief of Fort Torre, which was beſieged by general Potemkin, and is ſituated on this ſide of the river, oppoſite to Nicopolis. In this deſign they failed, having, it is ſaid, been met and defeated by that general. The third body, commanded by the Baſha in perſon, was more fortunate, and having ſuddenly inveſted

Giurgewo,

Giurgewo, and assaulted it for three days with great vigour, the governor capitulated, June 14, and was allowed to march out with the honours of war, but with the loss of sixty-four pieces of cannon. As this place was strong, and had cost the Russians very dear when they took it in the preceding month of March, the commandant's conduct excited great indignation, so that he and all his officers were put under arrest by prince Repnin.

There are upon record but few particulars as to the transactions on either side, for a considerable time after the taking of Giurgewo. It is probable that nothing very extraordinary happened. It seems, however, upon the whole, that the acquisition of this strong post was of considerable advantage to the Turks, and enabled them to extend their power, and become formidable on the side of Walachia. We accordingly find, that prince Repnin, who commanded in that quarter, sent an account to general Romanzow, in the latter end of July, or beginning of August following, that the enemy had then formed entrenchments and a strong camp for 30,000 men; and the mareschal, upon that advice, having given him orders to attack them, prince Repnin pleaded the inequality of his force, and refused to undertake the service.

Upon this difference of opinion (which produced a quarrel between the two generals), the command of that body was taken from prince Repnin, and given to general Essen, who, after some small successes, and several preparatory movements, having at length, August 17, attacked the Turkish entrenchments, was, after a desperate engagement of four hours, defeated, with the loss of some general officers, and of between three and four thousand men killed or wounded. The Russians also left some cannon, and were pursued a considerable way; but brought off their wounded men notwithstanding to Buchareft. This was the only action of any consequence in which success had attended the Ottoman arms during the course of the year; and the measures that conduced to it were so much disapproved of by prince Repnin,

that he wrote a long ſtate of the whole tranſaction (which amounted to a complaint) to the court of Peterſburgh.

The war ſeemed to have been conducted in a very languid manner, from the time of this action, until a few days before the cloſe of the campaign, when the uſual fortune of the Ottomans ſtill purſuing them, was productive of new triumphs to their enemies, and of almoſt final deſtruction to themſelves. The ſtrong hold with which for ſome time they had ſeemed to graſp Walachia, extended their views to the eſtabliſhment of winter-quarters on this ſide of the Danube; an object of great importance in the deſign, and which did not ſeem impracticable in the execution. It was alſo ſuited to the Turkiſh temper and diſpoſition to ſtrike ſome bold ſtroke at the end of a campaign, and thereby to obtain glory at the ſmall expenſe of a ſingle effort, or at leaſt, in ſome degree, to wipe out the ſtains incurred by a long ſeries of diſobedience and diſorder.

With this view, the army in Walachia was ſlowly though conſiderably increaſed, and the groſs of their troops were thrown into great bodies, and ſtationed in the neareſt and moſt important poſts on the Turkiſh ſide of the Danube; where the river could be moſt eaſily paſſed, and their friends on the other ſide moſt effectually ſupported. Theſe motions could no more eſcape the vigilance of general Romanzow, than their deſigns did his penetration. He accordingly made a number of ſuch maſterly diſpoſitions, as not only totally overthrew their ſchemes; but were conducted with ſuch ability, that every one of them took place at the inſtant of time, and was productive of the effect that was intended.

In conſequence of theſe judicious diſpoſitions, inſtead of waiting for the attempts of the enemy, they were ſurpriſed on their own ſide of the river when they leaſt expected it. A great body of Turks, who were ſtrongly entrenched under the town and caſtle of Tulcza, and another in the ſame circumſtances at Maczin, were attacked,

attacked, October 20, at almoſt the ſame inſtant, the firſt by general Weiſman, and the other by general Miloradowits. The event was the ſame in both places. The entrenchments were forced, the Turks totally routed, their artillery, ſtores, and magazines, together with the two towns and their caſtles, were all taken.

General Weiſman marched the following night to attack the grand vizier in his fortified camp, at a place called Babadagh, which was only a few miles diſtant, where he had the flower of the Turkiſh army, covered by a prodigious artillery. Victory, however, ſeems to have been obtained as cheaply here as it had been juſt before: The Turks were routed, the entrenchments and artillery carried, and the town and caſtle of Babadagh taken; while the vizier and his ruined army fled thirty miles, to ſeek for refuge in the arms of Mount Hemus.

A few days after, general Eſſen took a ſevere revenge for the diſgrace he had lately received, having, on October 30, totally overthrown the Seraſkier Mouſſon Oglou in the neighbourhood of Buchareſt; who, with the loſs of 2000 men killed, and near double the number taken, beſides his artillery and baggage, was obliged finally to abandon Walachia, and the Ruſſians now poſſeſſed themſelves without oppoſition of the ſtrong fortreſs of Giurgewo, which had been a bone of ſuch bitter contention. The Ruſſian forces did not continue long on the Bulgarian ſide of the river; ſo that the fears of the Turks were ſoon diſpelled in that quarter for the winter, and the Danube again reſtrained the rage of thoſe hoſtile nations.

As the king of Poland was returning to his palace at Warſaw, about nine o'clock in the evening of November 3d, it being then very dark, and he not attended by his cuſtomary guard of Uhlans, the coach was ſuddenly attacked at the corner of a ſtreet by ſix men on horſeback, the principal of whom was Koczinſki, an officer among the confederates; theſe deſperadoes fired their carbines and piſtoles into the carriage, after which they dragged the king out, and carried him off, held by the hands be-

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tween two of the horſemen. Two Heyducks who were behind the coach, bravely expoſed their lives to ſave the king; one of them was cut to pieces, and the other deſperately wounded; an aid de camp and a page were alſo wounded. The crowd and the Ruſſian patroles, who were immediately aſſembled, found the carriage covered with blood, and the wounded, but no account of the king, nor knowledge whether he was dead or alive. All the roads were immediately ſcou ed, and guns fired to alarm the guards and patroles that were ſtationed upon them.

The aſſaſſins, in the mean time, had joined twenty-five more of their accomplices, who waited at ſome diſtance, and not only got clear of the city, but arrived, notwithſtanding the difficulties they encountered, near Wilanow, at the diſtance of ſix or ſeven Engliſh miles from the capital. The firing of the cannon as ſignals, and the continual ſhouts of the Ruſſians who were in purſuit, diſconcerted them however conſiderably; and whether it was from this motive, or that he was inſtantly ſeized with a compuction for what he was doing, Koczinſki adviſed the officer who was along with him, to a ſeparation, as the only probable method of eſcaping the Ruſſians. By this means he got the king into his own cuſtody, and that of four others only, whom he alſo contrived to get rid of, by ſending them to obſerve the motions of the purſuers. He then quitted the road and his horſe, and throwing himſelf at the king's feet, implored his pardon, and offered to ſave his life; after which they marched an hour and a half on foot, through diſmal woods and moraſſes, till they arrived at a hut, from whence the king ſent to the Ruſſian general, and was conveyed to Warſaw early in the morning

The king had received two wounds on his head, one from a ball, and the other from a ſabre; and his eſcaping with life may be conſidered among the moſt extraordinary incidents in hiſtory. Koczinſki produced a paper, by which it appeared, that he and the reſt of the accomplices were bound by the ſtrongeſt and moſt ſolemn oaths, to deliver the king, dead or alive, to the confederacy at

Czenſtochan.

Czenſtochan. It is evident, that their carrying the king off in the manner they did, was attended with much more difficulty and danger, than the conveyance of his body would have been, if he had been killed at the firſt onſet: And it is much to the honour of Koczinſki, that it does not at all appear from the circumſtances which ſucceeded the event, that any thing had intervened, at the time in which he changed his mind, which could have prevented the ſucceſs of their ſcheme in either way. His whole conduct in this affair is a ſtrong inſtance, that the mind of man has an inherent diſpoſition to virtue, and that however it may be warped and depraved, and think itſelf, while at a diſtance, capable of committing the moſt enormous crime, it will frequently ſhrink back with horror, and recover its original tone, when it comes to the execution.

Notwithſtanding the bleſſings of peace, the year of which we treat was productive of uncommon calamities in Germany. A courſe of inclement or irregular ſeaſons in ſome countries, and the miſeries of war in others, had occaſioned a general ſcarcity of corn, which was more or leſs felt in every part of Europe. Indeed the firſt of theſe cauſes as well as the effect, was unhappily extended to ſome of the remoteſt parts of the globe, of which Bengal, and ſeveral countries in the ſouthern hemiſphere, afforded melancholy examples.

In moſt parts of Germany and Bohemia, the ſcarcity was ſo great, that a ſevere famine prevailed, and great numbers of people unhappily periſhed for want of food. The extreme ſeverity of the winter added much to the diſtreſſes of the people, who were obliged in many parts to ſtrip the thatch off their houſes, and endeavour to keep their cattle alive by feeding them with it. The ſpring was not more favourable. The unuſual quantity of ſnow which lay on the mountains being then melted, fell down in torrents on the level country, and ſwept every thing before it, and the great rivers having burſt through their ancient boundaries, ſcenes of confuſion, terror, and diſtreſs, were ſpread on every ſide.

The ſummer had ſtill greater evils in ſtore. The continual rains, which fell from the latter end of May, through the whole month of June, and part of July, preſented in the level countries the appearance of a ſecond deluge. The inundations of the Elbe were particularly dreadful, and the damage incredible. Many parts of the Lower Saxony, of the Old Marche of Brandenburgh, and of the other countries that border upon that river, particularly in the lower part of its courſe towards the ſea, were totally ruined. Hamburgh was in a moſt critical and diſtreſſed ſituation. The inundation entered ſome of the gates, and all the heads and hands of its numerous citizens were occupied, for ſeveral days, in ſchemes and endeavours, either to divert its courſe, or to prevent its farther progreſs. A public faſt was ordained, as for the greateſt calamity. The great ſuburb towards the Elbe, of two Engliſh miles in extent, with the fine country-houſes and gardens of the citizens, were ſo entirely covered with water, that only the tops of the trees were diſcernible. The whole damage to Hamburgh only was eſtimated at 200,000l. ſterling.

The different princes and ſtates did every thing in their power to alleviate the diſtreſſes of the people; but, as corn was alſo ſcarce in other countries, the ſupplies they could procure were very diſproportionable to their wants. Whatever apprehenſion or intention of war had operated upon the king of Pruſſia in the beginning of the year, he at that time purchaſed prodigious quantities of corn to ſupply his magazines, and had afterwards, upon the ſame account, prevented or impeded the conveyance of corn by the Viſtula from Poland to Dantzick. Both theſe circumſtances contributed much to the general diſtreſs of Germany.

A riot having happened at Prague on account of the ſcarcity, the governor told the people, if they did not diſperſe he would order the troops to fire upon them; to which they anſwered with great coolneſs and indifference, that they would look upon the execution of his menaces as a favour, a ſudden death by a ſhot being much preferable to a ſlow one by famine. The go-

vernor

vernor had prudence and humanity enough to refrain from fulfilling his threat, and having tranſmitted an account of the tranſaction to the empreſs-queen, that princeſs burſt into tears, and ſent them immediate relief.

Bavaria, which was the uſual granary of ſeveral of the neighbouring territories, was now in the deepeſt diſtreſs, and the people having attributed it to ſome maladminiſtration in the conduct of public affairs, the elector being upon the road to Nymphenburg, was ſurpriſed to to find his coach ſurrounded by a great multitude of people, who cried out, that they did not mean to hurt his perſon, but demanded the immediate diſmiſſion of four of his principal miniſters of ſtate, whom they named, and to whom they attributed their preſent immediate diſtreſſes, as well as all the other misfortunes of their country. Upon this extraordinary demand, the elector ordered his guards to diſperſe the populace; with which they abſolutely refuſed to comply: And he was in that ſituation reduced to the neceſſity of being obliged to promiſe to redreſs all the grievances of his people. We do not find that this promiſe was kept; and the contrary ſeems to have been the caſe, as the garriſon of Munich, together with his guards, were immediately augmented to three times their uſual number.

As the neceſſity that now prevailed occaſioned a ſtrict ſearch and inſpection into the magazines and ſtorehouſes at Munich, one hundred great barrels of flour were found in one of them, which had lain in it ever ſince the year 1631, when the great Guſtavus Adolphus ravaged Bavaria. Though this flour was found upon examination to be grown into a hard ſubſtance, that appeared like a kind of ſtone, it was however thought not to be totally uſeleſs, and being accordingly prepared, and mixed with freſh meal, was diſtributed in bread to the poor. However indifferent this might have been, it was probably much better than the bread which the people about Augſburg were obliged to make uſe of, which was compoſed of the bark of beech and alder, mixed with a ſmall quantity of ſome ſpice.

Things carried much the appearance of war both at Vienna and Berlin at the beginning of the year, though the politicians were much at a loſs to judge what direction the ſtorm would have taken. A great promotion of general officers took place at the former; 18,000 recruits were demanded from Hungary, inſtead of 6000, which was the former complement, and 30,000 from Bohemia; vaſt bodies of men were marched to Moravia, Tranſylvania, and the borders of Hungary, and great quantities of heavy artillery were ſent down the Danube. Every thing beſpoke ſome great event at hand. It is not improbable that the great ſcarcity of corn, and the public calamities which afterwards took place, contributed to the preſervation of the general tranquillity. It was ſaid, that the king of Pruſſia was beforehand with the emperor in filling his magazines, a meaſure which the latter afterwards found impracticable.

Whatever the political views of the court of Vienna were at that time, it is probable that they were afterwards changed, and that a new arrangement took place between that court and thoſe of Peterſburgh and Berlin, to the ſatisfaction of the three. Notwithſtanding theſe warlike appearances, the court of Vienna, in concert with that of Berlin, apparently acted the part of a mediator between the belligerent powers, and various propoſitions relative to a peace were tranſmitted through the hands of their miniſters at the Porte. Mr. Obreſcow, the Ruſſian miniſter at Conſtantinople, who was impriſoned at the beginning of the war, was alſo enlarged through the influence of the court of Vienna.

A body of Auſtrian troops marched into Poland in the month of June, and took poſſeſſion of ſeveral diſtricts there, under pretence of ſome claim which the empreſs-queen made to them, upon which account, as ſhe conſidered the inhabitants as her ſubjects, ſhe would protect them from the ravages that ruined the reſt of the country, until her claim to thoſe territories could be properly made out and adjuſted. Theſe troops were afterwards increaſed to a conſiderable army. Some of the Poliſh nobility remonſtrated upon this meaſure, but without any redreſs,

redreſs. The heads of the confederates had before preſented a memorial to the emperor, in which they hoped that the great force he had aſſembled on their frontiers was intended to reſtore their liberties, and generouſly to relieve their country from the dreadful calamities ſhe laboured under; or at leaſt, if that was not the motive, that they relied upon his clemency and generoſity not to take any advantage of her preſent deplorable ſituation.

The conduct of the Pruſſians, who, firſt under pretence of forming a line to prevent the ſpreading of the infection, and afterwards of protecting the inhabitants from the exorbitances of the confederates, had ſent ſeveral conſiderable bodies of troops into Regal or Poliſh Pruſſia, was oppreſſive and arbitrary in the higheſt degree. Exceſſive contributions were raiſed. Dantzick in particular, and its territories, ſuffered ſeverely.---Such was the commencement of one of the moſt profligate and atrocious ſyſtems of robbery and plunder that ever blackened even the annals of courts. The private bandit or aſſaſſin ſuffers an ignominious death on the rack or the gibbet, while theſe imperial felons have enjoyed with impunity the fruits of their villany.

The viſit which prince Henry of Pruſſia made to the court of Peterſburgh, in the latter part of the foregoing year, was in a great meaſure deciſive of the fate of Poland; at leaſt there is little room for doubting, that the arrangements afterwards made were then concluded upon, ſo far as they related to two of the great parties who were to be its arbiters. The progreſs however of this black tranſaction we ſhall have occaſion afterwards to notice. The vengeance of Heaven has in this inſtance appeared ſlow; but without anticipating its operations, we may be permitted to remark, that among the various cauſes, which have contributed to the propagation of thoſe democratic prejudices, and that deteſtation of regal government, which have latterly pervaded Europe, none has been more powerful, or acted more extenſively, than the juſt indignation excited by the execrable conduct of the royal plunderers of unhappy Poland.

The ſudden death of the king of Sweden, on the 12th of February, and the acceſſion of the prince-royal, his

ſucceſſor, cauſed no change either in the general ſyſtem of Europe, or in the particular ſtate of that kingdom. The prince royal and his brother, prince Frederic Adolphus, had ſet out ſome time before upon their travels to viſit the principal countries in Europe, and were in Paris at the time they received that account. If the abſence of a preſumptive heir, upon ſuch an occaſion, might in ſome other caſes be not totally unattended with difficulty or danger, the free government of Sweden afforded no apprehenſion of that nature. The ſenate met early in the morning of the day which ſucceeded that event, and iſſued immediate orders for proclaiming the new king, which was done in the uſual forms without the ſmalleſt diſturbance.

The young king, notwithſtanding the account of his father's death, did not quit Paris till towards the end of March. His viſit thither was not merely a matter of pleaſure. France was in arrear to Sweden upon the old ſubſidy treaty to the amount of ſix millions of livres; a ſum of great importance to the limited monarch of a country not abounding in gold and ſilver; but in the preſent particular circumſtances, was an object of ſtill greater conſequence. The court of Verſailles ſettled this matter with its uſual addreſs, and much to the ſatisfaction of the new king. One fourth of the money was immediately paid, and the remainder of the debt was to be liquidated by three ſucceſſive yearly payments; at the ſame time the treaty was renewed, without its being clogged with the requiſition of any new conditions, or made diſagreeable by heſitation or doubts: A conduct which carried an appearance of candour, good faith, and diſintereſtedneſs, naturally pleaſing to a young prince.

The king, upon the arrival of the diploma, which notified his acceſſion to the throne, immediately wrote a declaration from Paris to the ſenate *, in which he gave the ſtrongeſt and moſt ſolemn aſſurances, that, at the price of his life and his blood, he would maintain the

* March 15.

purity

purity of their doctrine, and defend their rights and liberties; declared his abhorrence of all violence, and by the solemn assurances he had already given, and upon his word as a king, that he would not only in the government of his kingdom fulfil in all points whatever the laws and the constitution prescribed, and conformably to the form of regency of the year 1720, to which he had already sworn; but that he would look upon as the declared enemies of his person and kingdom, and as the most notorious traitors to the country, all those who secretly or openly, on any pretence whatsoever, should seek to introduce again an unlimited authority, or what is called *sovereignty*. This declaration was concluded with the adjuration of "So help me God," and signed Gustavus.

The Swedish king passed some days with his uncle the king of Prussia upon his return home, and having at length arrived at Stockholm, May 30, was received by the people with the greatest appearances of joy. At his first appearance in the senate he again renewed his assurances of governing according to the laws, and of endeavouring in every manner to make the people happy. He seemed also to have applied himself assiduously to the acquiring of popularity, and having set apart three days in the week for giving audience to the people, he received, without distinction, all who presented themselves. Upon these occasions he laid by the trappings of royalty, and all appearance of state; heard the complaints of the people with the greatest temper and patience, and entered into the minutest details with them upon every thing that related to the subject. Besides redressing their grievances, and doing them all the acts of justice in his power, he informed himself of their private affairs, and conversed familiarly upon them, in the language and character of a father and friend; so that those who received no benefit departed satisfied, and all were equally charmed with the king's condescension and manner.

The noble efforts of (that faithful repository of the laws, and remembrancer of the ancient rights of the people) the parliament of Paris, in the cause of liberty

and mankind, fatally terminated in its own final diſſolution. Its fall was not more glorious from the cauſe in which it was engaged, than from the circumſtances that attended it; ſeveral of the other parliaments became voluntary ſacrifices at its funeral pile.

The ancient ſpirit from which the Franks derive their name, though ſtill glorioufly alive in the breaſts of a few, no longer exiſted in the bulk of the people. Long dazzled with the ſplendour of a magnificent and voluptuous court, with the glare of a vaſt military power, and with the glory of ſome great monarchs, they could not now, in the grave light of the ſhade, behold things in their natural ſtate. It is indeed not eaſy for thoſe who have long been uſed to ſubmit without inquiry to every act of power, who have been ſucceſsfully encouraged in diſſipation, and taught to trifle with the moſt important ſubjects, ſuddenly to acquire that ſtrength and tenour of mind, which is alone capable of forming great reſolutions, and of undertaking arduous and dangerous taſks. Thus did this great revolution in the hiſtory and government of France, take place without the ſmalleſt commotion, or without the oppoſition, that in other periods would have attended an infraction of the heretable juriſdiction of a petty vaſſal.

The parliament of Paris having perſiſted in its refuſal, towards the cloſe of the laſt year, to regiſter an edict of the king's, by which they were to acknowledge as a law of the ſtate, the indiſpenſable obligation of all the ſovereign courts to regiſter any edicts he addreſſed to them, even though in oppoſition to their own remonſtrances, if he thought proper to perſiſt in enforcing the execution of his will; they were at length ſummoned to attend a bed of juſtice at Verſailles *, where the king acted in perſon, and the edict was obliged to be regiſtered. The parliament had previouſly entered proteſts againſt every thing that ſhould be done at the bed of juſtice, as the effect of a force which they could not reſiſt, but which they neither ought, nor could aſſent to, being contrary to the

* December 7, 1770.

laws

laws which they were ſworn to defend, and under which, alone, they had any right to act.

The parliament having again aſſembled, deputed the firſt preſident to the king, with a ſupplication to withdraw his edict, or elſe to make him, after the example of the ancient magiſtrates their predeceſſors, the unanimous offer of their employments and their heads; voluntary, yet indiſpenſable ſacrifices, when the conſtitution is attacked.

The king's anſwer to the firſt preſident was, that the conduct of the parliament ſufficiently proved the neceſſity of the law which he had cauſed to be regiſtered; and concluded with a peremptory command, that they ſhould reſume their functions. This anſwer produced another deputation, by which reiterated repreſentations were made of the impoſſibility of regiſtering the edict, as the act being contrary to the law, was in itſelf null and void, and concluded with the following remarkable words: "Your edict, Sire, is deſtructive of all law; your parliament is charged to maintain law, and the law periſhing, they ſhould periſh with it. Theſe are, ſire, the laſt words of your parliament."

Some time after letters were iſſued by the king, commanding the parliament to reſume their functions, and proceed on buſineſs; with which they abſolutely refuſed to comply. Thus matters continued for ſome time after the opening of the year. At length the king ſent a meſſage to the parliament, that if they did not obey his letters of juſſion, and reſume their functions, he would remove the magiſtrates from their employments; and that it was in vain for them to continue their oppoſition, from any hope that he would either withdraw his edict, or even ſuſpend the execution of it; to which it was anſwered, that they could not obey the king's letters; but that they would wait for his majeſty's orders with equal reſolution and ſubmiſſion.

The final reſolution was now taken, and a party of muſquetaires went in the night of January 19th to moſt of the members at their own houſes, and preſented to each of them a lettre de cachet, which enjoined them to

declare immediately, whether they would resume their usual duty, or persist in their refusal; in testimony whereof they were to sign Yes or No. They were informed at the same time, that their refusal would be considered as an act of disobedience. The greater part signed No; some were induced in the confusion to sign Yes, who afterwards retracted; and a considerable number refused to explain themselves, saying, that as private men they were all submission to the king's orders, but that as magistrates they could do nothing separately. About forty, who had not been served with lettres de cachet, went to the parliament-house two days after, with the first president at their head, amidst the acclamations of the people, and passed an act against what had been done, merely to put themselves in the same predicament with their brethren.

When the members went to court to receive their dismission, previous to their banishment, three of them proposed to relax in their opposition, and represented that it would be prudent to hold some measures with the court; but the proposal was received with the utmost horror, and rejected with the greatest indignation by the rest. M. Dubois de Courvel, who had been ill of the gout, and kept his bed for three months, having been surprised into signing Yes, was carried upon this occasion to court, protested against what he had done, and received sentence along with the rest. They were all banished to inconsiderable villages, some near, and others at a considerable distance from Paris.

A temporary tribunal was instituted to supply the place of the parliament; the king's counsel, who had desired leave to resign their places, but were refused, were obliged to act in this tribunal, which they did, the first time, with tears in their eyes; several officers of the parliament had run away, to avoid acting under this new jurisdiction; but were obliged to return, under penalty of imprisonment, loss of their offices, and their children being declared unworthy to hold any employment in the kingdom. Though the part acted by the counsellors in supplying the place of the parliament, was an evident

force

force put upon them, yet ſo odious was the meaſure to the people, that they were obliged to have a guard of ſoldiers for their protection, and were notwithſtanding hiſſed and inſulted, with the chancellor at their head.

While matters continued in this ſtate, there was ſtill a hope of the reſtoration of the parliament; and even the members of this new tribunal, with the attorney-general, who was now their preſident, at their head, had prepared a memorial for that purpoſe, till the king, having heard of their intention, forbad its being delivered; but theſe hopes were ſoon at an end. The king, on the 22d of February, held a bed of juſtice, at which an edict was paſſed, declaring, that as the juriſdiction of the parliament was too extenſive, reaching from Lyons to Arras in Flanders, it was thought proper to divide it into ſix different parts, under the denomination of ſuperior courts, each court to have a ſimilar juriſdiction, and to be held at Arras, Blois, Clermont, Lyons, Poictiers, and Paris. At the ſame time, the quality, number, and ſalaries of the officers in each tribunal were fixed, and every other meaſure taken, that ſhowed this new arrangement was intended to be permanent.

The other parliaments, particularly thoſe of Rouen and Rennes, had hitherto been neither ſilent nor inactive in regard to the treatment which that of Paris had met with. The firſt of theſe had iſſued an arret, which loudly condemned the whole proceeding, and which was delivered by the duke of Orleans in perſon to the king; who was equally offended with the matter of the arret, and with that prince for preſenting it. A memorial had alſo been preſented on the ſame ſubject, ſigned by many of the peers and all the princes of the blood, except the count de la Marche, which was more unpleaſing even than the arret. Still however it was thought, that nothing more was to be apprehended than a temporary ſuſpenſion. But this laſt meaſure, which finally ſealed the doom of the parliament, ſtruck a general conſternation and alarm throughout the whole nation.

The provinces, that were to be under the juriſdiction of the new tribunals, immediately preſented ſeparate remonſtrances

monſtrances againſt them. Theſe were expreſſed in very ſtrong terms; they recognized the declarations made in former reigns, with which this meaſure was incompatible; and peremptorily aſſerted, that the king's edict, which had occaſioned all this miſchief, was abſolutely ſubverſive of all public and private good, and preſented to the people no other view but that of the moſt enſlaving deſpotiſm.

The conduct of the princes of the blood was however more diſagreeable and alarming to the court than thoſe remonſtrances. A ſtrong and ſpirited proteſt was ſigned by them, againſt every meaſure that had been taken to the prejudice of the parliament; which was alſo backed by a great number of the peers. This was delivered to the king * by M. de Pour, firſt gentleman to the duke of Orleans, and enraged him ſo much, that a council was called, in which it was debated, whether the princes ſhould not be baniſhed; this violent meaſure however met with ſuch oppoſition in the council, that it was dropped.

In the mean time the chancellor Maupeau, who was conſidered as the founder of all theſe innovations, and was therefore the moſt odious and unpopular man in the kingdom, had framed a new code of laws, which were preſented and approved of, and meaſures accordingly taken for their being carried into execution. During theſe tranſactions, Paris preſented a ſcene of the greateſt confuſion; there was almoſt a total privation of legal juſtice, moſt of the advocates and attornies having either refuſed or avoided to bring their cauſes before the new tribunal. The remaining courts of magiſtracy were in a continual ſtate of agitation and diſorder, either paſſing fruitleſs reſolutions, preſenting remonſtrances, or entering proteſts equally vain, reſigning their places, and refuſing to act in their reſpective departments, or under the influence of lettres de cachet, which obliged them to reſume their functions. Such was the ſtate of the court of aids, chatelet, great council, and chamber of accounts; while the parliaments in different parts of the kingdom

* March 13th.

were

were employed in preſenting remonſtrances, or iſſuing arrets.

A bed of juſtice having been held * for the final eſtabliſhment of the new tribunals, as well as of the chancellor's code of laws, the princes of the blood were ſummoned to attend, upon which they all, except the count de la Marche, wrote letters to the king, that as they could not give their ſuffrage to the buſineſs that was intended to be done in the bed of juſtice, they did not think proper to aſſiſt at it. This was ſo much reſented, that they all received letters the next day from the king; forbidding them to appear in his preſence, to ſee any of the royal family, or even to reſide at any place where the court ſhould be kept. And the king's indignation was ſo prevalent upon this occaſion, that the princes were not invited to the wedding which ſoon after took place, between the count de Thouloufe and the princeſs of Savoy.

A few days after the holding of this bed of juſtice, the parliament of Rouen, with the ſame unſhaken intrepidity which had ſo long diſtinguiſhed its conduct, iſſued an arret, by which the members of the new parliament were declared to be intruders, uſurpers of the effects of other people, enemies of the ſtate, and the violators of their oaths, and ſtrictly forbad the acknowledgment or execution of any of their own arrets. A counter-arret was iſſued, by that which was called the parliament of the court, at Paris, condemning the firſt to be burnt by the hand of the common hangman.

The court was greatly irritated at the conduct of the parliament of Rouen; and wavered much in its reſolutions what courſe to purſue with it The danger of entering into meaſures that might too much provoke that great and powerful dutchy, was evident to every man; while, from a knowledge of the preſent governing ſpirit, ſuch an iſſue was notwithſtanding expected. It is ſaid that violent meaſures were intended, and that the duke de Harcourt nobly refuſed to take the command of the troops in Normandy, for the execution of thoſe purpoſes.

* April 13th.

CHAP. VII.

Proceedings of parliament—A large number of ſeamen voted—Certain clergymen petition to be relieved from ſubſcription—The diſſenting clergy petition to be relieved from ſubſcribing to the articles of the church of England—Rejected by the lords—Royal marriage bill—War with the Caribs in St. Vincent's—The ſeſſion concludes—Changes among the officers of ſtate—Mr. Fox appointed to a ſeat at the treaſury board—State of Europe—Suſpenſion of hoſtilities between the Ruſſians and Turks—Diviſion of Poland—Account of the revolution in Sweden—Account of the revolution in Denmark—Baniſhment of the queen of Denmark—Execution of count Struenſee.

[A. D. 1772.]

THOUGH a general apathy at the commencement of this year ſeemed to extend its influence through a conſiderable part of the nation, many late proceedings had rather increaſed the diſcontent in the metropolis, and the citizens were ſufficiently forward in diſplaying it. They complained that government had of late appeared particularly adverſe to the city of London, and that in ſuch a manner as had been unknown ſince the Revolution; and that this was evidently in revenge for the public-ſpirited diſapprobation that city had manifeſted of oppreſſive and pernicious meaſures.

As nothing had occurred, either foreign or domeſtic, ſufficiently urgent to accelerate the meeting of parliament, this did not take place till the 21ſt of January.

His majeſty, in the ſpeech from the throne, expreſſed much ſatisfaction, that he had not been under a neceſſity of calling the houſes together ſooner; and that they would now find ample opportunity for the eſtabliſhment of wiſe and uſeful regulations of law, and the extenſion of our commercial advantages. He alſo obſerved that the performance of the king of Spain's engagement, in

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the reſtitution of Falkland's Iſlands, and the repeated aſſurances that had been received of the pacific diſpoſition of that court, as well as of other powers, promiſed the continuance of peace; which was with the greater confidence to be hoped for, as there exiſted no reaſon to apprehend that we ſhould become involved in the troubles which ſtill unhappily prevailed in one part of Europe: That though the propriety of maintaining a reſpectable eſtabliſhment in the naval forces was apparent, yet no extraordinary aid of this kind was neceſſary. His majeſty concluded with recommending the moſt vigilant and active attention to the concerns of the country, and aſſuring the two houſes that the readieſt concurrence of the crown would attend every interpoſition for remedying abuſes or ſupplying defects. This ſpeech proved much more agreeable to the people than that of laſt year, and was perhaps leſs objectionable in itſelf: Though very cautiouſly worded in what related to domeſtic affairs, the latter part of it evidently alluded to the concerns of the Eaſt India company. The gentlemen, therefore, who ſupported the motion for the addreſs in the houſe of commons, hinted that new laws and regulations were neceſſary to be made to control the ſervants of that company, who were only employed in amaſſing enormous fortunes at the expenſe of their maſters.

On the 29th of January the miniſter moved that twenty-five thouſand ſeamen ſhould be voted for the ſervice of the current year. It was contended in ſupport of the motion, that it was always neceſſary for us to be ſuperior, in the Eaſt Indies, to the French, which had not been the caſe ſince they had deſpatched a conſiderable fleet thither, and that it was equally neceſſary to preſerve the preſent force in the Weſt Indies unimpaired, as the Spaniards know the importance of our ſettlements there too well, not to make the firſt attacks on them, if ever a rupture takes place. It was urged againſt the motion, that this meaſure was accompanying a ſpeech declaratory of peace, with all the neceſſary preparations of war; and increaſing our peace eſtabliſhment till we might be overloaded with it. The ſame excuſes and pretenſions (it

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was ſaid) will hold good every year, ſo that at laſt we might be obliged to ſuffer all the hardſhips of an expenſive war, in the time of profound peace, by adding five hundred thouſand pounds annually to the national expenſes. If the aſſurances of peace which came from the mouth of the monarch were well founded, our force both in the Eaſt and Weſt Indies is already ſufficient. Several other objections were urged, but in vain; for the motion was carried without a diviſion.

On the 6th of February a petition was offered to the houſe, from certain clergymen of the church of England, and certain members of the two profeſſions of civil law and phyſic, and ſome others, who prayed for relief from the ſubſcription to the thirty-nine articles of faith. Theſe gentlemen had for ſome time aſſembled at a tavern called the Feathers, and by the aid of public advertiſements, had prevailed upon about 250 of the clergy to ſign the petition: "Your petitioners," ſaid they, "apprehend themſelves to have certain rights and privileges which they hold of God alone—of this kind is the exerciſe of their own reaſon and judgment. They conceive they are alſo warranted, by thoſe original principles of reformation from popery on which the church of England is conſtituted, to judge in ſearching the ſcriptures, each man for himſelf, what may or may not be proved thereby. They find themſelves however precluded the enjoyment of this invaluable privilege, by the laws relative to ſubſcription, whereby your petitioners are required to acknowledge certain articles and confeſſions of faith and doctrine, drawn up by fallible men, to be all and every one of them agreeable to the ſaid ſcriptures; your petitioners therefore pray, that they may be relieved from ſuch an impoſition upon their judgment, and be reſtored to their undoubted right as proteſtants, of interpreting ſcripture for themſelves, without being bound by any human explanation thereof—holy ſcripture alone being acknowledged certain and ſufficient for ſalvation." In another part of the petition they call the impoſition of ſubſcription "an encroachment on their rights both as men, and members of a proteſtant eſtabliſhment."

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This petition was presented by sir William Meredith, and supported by him and several other members of the highest talents and reputation. These gentlemen contended, That to grant the relief solicited by the petitioners, far from being detrimental or dangerous to the church, would redound equally to its honour and safety —that the articles of the church were well known to have been compiled at a period when the nation had scarcely emerged from the chaos of popery—that they were dark, scholastic, unintelligible, and in many parts contradictory—that the doctrines contained in them had been long since discarded from the creed of all rational christians; and it was undeniable that few of the clergy could subscribe to them without such salvos as would scarcely be deemed admissible in any other case. Nothing, said they, could be more contrary to the end of a religious establishment, than thus to tempt those from the path of moral rectitude, who are appointed to teach morality to others:—They added, that such an imposition upon conscience was productive of great licentiousness in the church, and from its tendency to lessen or entirely to destroy christian integrity, had the worst effects upon its members—that the common pretext for the imposition of subscription was the preservation of the unity of the christian faith; but it was notorious that the utmost possible diversity of sentiment prevailed in the church, and that the articles in this view were a mere dead letter—that the diversity of sentiment on points of speculative theology was however of no importance to the state, which was only interested in inculcating good morals—that a liturgy being appointed by public authority for public use, in which all that is essential to christianity is comprehended, no other bond of union or standard of faith is requisite—and that any restraint upon the freedom of inquiry would only generate ignorance or hypocrisy.

The great majority that rejected this petition, founded their opposition upon different grounds and principles. The high church gentlemen considered it as little less than blasphemy, to propose any innovation in the thirty-nine articles. They said it would give a mortal wound

to the church of England; that the church and ſtate were ſo intimately united, that one could not periſh without the other; that this petition was levelled directly againſt chriſtianity, and that the next would be for annulling the liturgy. They called to mind the deſtruction of church and ſtate in the laſt century, which they charged upon the ſectaries; repreſented the conduct and views of the petitioners as avaricious and hypocritical; and inferred from the licentiouſneſs of ſome writings which had appeared on that ſide of the queſtion, that they denied the doctrine of the Trinity, and the divinity of our Saviour. They ſaid that parliament could not grant any relief to thoſe who had already ſubſcribed, as they had no power to vacate oaths; and that for thoſe who were not yet beneficed, and who wanted to ſeize on the emoluments of the church, without believing in her tenets, or complying with her laws, they were not at all to be liſtened to, as from every principle of reaſon and juſtice they ſhould be excluded from her for ever. They further contended, that it was not in the king's power to comply with their petition, as he was bound by oath to preſerve the eſtabliſhed church; and that a compliance with it would be a breach of the articles of union, as it was engaged by them, that the church governments both of England and Scotland ſhould for ever continue as they then were.

Many other gentlemen, who were moderate in their temper or principles, though totally averſe to a compliance with the terms of the petition, or to the reviving of polemical diſputes, by even making its controverſial points a ſubject of diſcuſſion, were notwithſtanding inclined to treat it with lenity and reſpect; and ſome were diſpoſed to its being brought up to the table and let to lie over till the end of the ſeſſion; while others were for applying to the king, that he might appoint a committee of the clergy to conſider it. Upon the ſame principle, they vindicated the petitioners from the heavy imputations that had been laid upon them, and ſhowed ſeveral of them to be men of the moſt irreproachable characters. They alſo ſet thoſe right who had been of opinion, that the

the legiſlature had no ſuperintending control over the articles of the Union; they not only ſhowed, that a ſupreme controlling power was inherent in every legiſlature, but pointed out two particular inſtances in which it had been exerted ſince the Union, and which affected both the Engliſh and Scotch churches; the firſt of theſe was the act againſt occaſional conformity, and the latter, that which deſtroyed elective patronages.

But though ſome of theſe gentlemen declared themſelves friends to toleration, and to religious liberty, in the moſt liberal and extenſive ſenſe, that could be compatible with the public tranquillity, and the good of the community, they notwithſtanding objected to the principles of the petition. They inſiſted, that all governments had a right to conſtitute the ſeveral orders of their ſubjects as they pleaſed; that the prieſthood, in this inſtance, ſtood in the ſame predicament with the others; that it was neceſſary that thoſe who were appointed to be the public teachers and inſtructors of the people, ſhould be bound by ſome certain principles from which they were not to deviate; that to prevent the diſorder and confuſion incident to ſo great a number, it was alſo neceſſary, that ſome public ſymbol ſhould be eſtabliſhed, to which they ſhould all aſſent, as a mark of their conformity and union; that a ſimple aſſent to the ſcriptures would in this caſe be of no ſignification, as every day's experience ſhowed, that no two would agree in their general conſtruction of them, and that it was too well known, that the greateſt abſurdities, and even blaſphemies, had at different times been attempted to have been ſupported or defended upon their authority. It was alſo ſaid, that ſo far as ſubſcription related to the clergy, who were thoſe principally concerned, it would not be conſidered that they ſuffered any injuſtice, as they were under no neceſſity of accepting benefices contrary to their conſciences, and if their ſcruples aroſe afterwards, they had it always in their power to quit them; and that every man now, according to the prayer of the petition, was at liberty to interpret the ſcriptures for his own private uſe; but that his being authoriſed to do ſo for others,

contrary to their inclinations, was a matter of a very different nature.

Many gentlemen, who did not think the difference of opinion with respect to the articles a matter simply in itself of any great consequence, opposed the motion, merely because they would not give any opportunity of increasing our civil dissensions, by lighting up the more dangerous flames of religious controversy. The house in general seemed to be of opinion that the professors of law and physic being bound in matter of subscription was a circumstance of little concern to the public; and it seemed to be wished that the universities would grant them relief in that respect, as well as to the young students at the time of matriculation. The gentlemen in opposition were divided upon this question; many of them supported it, and others were now seen upon the same side with administration, and with a great majority—two situations which were not often presented. The numbers were upon the division 71 for, and 217 against the motion.

About this time Dr. Jebb, a man of distinguished talents in the university of Cambridge, in a sermon published on the occasion, observed, "When metaphysical refinements, when scholastic differences and distinctions enter into the contexture of national confessions, to contend for the imposition of them, for the purpose of avoiding diversity of opinion, and of establishing consent, touching true religion, would be to insult the common sense and reason of mankind. In yielding implicit submission to such human formalities, an aspirant to the ministry resigns the exercise of his understanding, and the deduction of his better judgment, to an authority not less despotic than the antichristian power of Rome."

In the course of the debate which took place on this petition, several of the most moderate and respectable members of the house of commons suggested a wish that the dissenting clergy might be relieved from some intolerant impositions. That class of men, therefore, earnestly embraced so inviting an opportunity of obtaining redress for the grievances they laboured under. On

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a motion ſubſequently made by ſir George Savile, member for the county of York, and ſeconded by ſir Henry Houghton, leave was given to bring in a bill to exempt the diſſenting clergy from ſubſcribing to the thirty-nine articles. The bill itſelf was received by the houſe with great approbation, and even applauſe. Many of thoſe who contended againſt granting the petition of the clergy of the eſtabliſhed church, diſtinguiſhed themſelves by the ardour with which they ſupported a claim thus reſpectfully ſubmitted to the legiſlature, and ſo evidently founded on the cleareſt principles of equity and juſtice, that it appeared to ſome perſons previouſly difficult to conjecture by what arguments it could poſſibly be oppoſed.

In this, however, they were miſtaken, and by the oppoſite party it was ſtrenuouſly contended that a total exemption from ſubſcription would open the door to ſuch an inundation of enthuſiaſm, abſurdity, and extravagance into the Chriſtian church, as would equally deface and deform it; that when this reſtraint was removed, Arians, Socinians, Deiſts, and profane ſcoffers of all denominations, would not heſitate from the pulpit to undermine, ridicule, and attack the principles of the Chriſtian religion, and perhaps even to deny the divinity of its Author. They ſaid this was an act not ſo much for the relief, as the encouragement, of the diſſenters, and it had a direct tendency to weaken and deſtroy the church of England, by the countenance it gave to a republican religion, which had at all times been the decided enemy to monarchy.

Againſt theſe arguments the advocates for the bill contended, That it was no longer a ſpeculative queſtion, whether toleration was a principle beneficial or injurious to the community? The experiment had been actually made, and had been attended with the happieſt ſucceſs. No ſuch hardſhip, as was now ſuffered by the perſons whom this bill was framed to relieve, was intended by the act of toleration, which required nothing more to the participation of its advantages, than the parties concerned were at the time perfectly willing to comply with: That the diverſity of theological creeds was of no import-

ance to the ſtate; and the ſpirit of the act of toleration plainly required that the protection of the ſtate ſhould be extended to all its members, whatever might be their religious opinions, ſo long as they fulfilled all the duties of good citizens and ſubjects: That the very idea of toleration *implied* difference of opinion; and to profeſs to tolerate thoſe only who believe as we believe, is farcical and ridiculous: That truth wanted not the ſanction of penal laws.

At length a vaſt majority of the houſe of commons, penetrated with the force of theſe reaſonings, and perhaps gratified with an occaſion of diſplaying their attachment to the principles of *whiggiſm*, from which they had been charged with a diſpoſition to depart, paſſed the bill with the full concurrence of the miniſter, almoſt by acclamation; but when it was carried up to the peers, it met with a very different reception: For the bedchamber lords and the biſhops, upon its ſecond reading on the 19th of May, united all their efforts, and procured its rejection by a majority by 102 peers againſt 29.

On the 17th of February a motion was made for leave to bring in a bill to quiet the poſſeſſions of the ſubject againſt dormant claims of the church. It was urged in favour of the motion, that a limitation of this nature was as neceſſary with reſpect to the church, as it had been in regard to the crown; and that there was no more reaſon why the people ſhould be diſturbed in their poſſeſſions under the plea of immemorial time of the one, than under the *nullum tempus* power of the other. Inſtances were pointed out of the heavy grievances that attended the revival of theſe dormant and obſolete claims, and one in particular of a gentleman then preſent, whoſe family were loſers to the amount of 120,000l by a biſhop reviving a claim of this nature, though they had been in quiet poſſeſſion of the eſtate in queſtion above a hundred years.

Theſe arguments were ſtrong and powerful in themſelves, and indeed every effort of adminiſtration was found neceſſary to be made uſe of to obtain a ſmall majority againſt the motion.

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The famous royal marriage act was introduced this ſeſſion, in conſequence of a meſſage from the king. The circumſtance which gave riſe to this extraordinary interpoſition of the legiſlature, was the marriage of the duke of Cumberland to Mrs. Horton, a widow lady, daughter to lord Irnham, and ſiſter to the celebrated colonel Luttrel, and the marriage of the duke of Gloceſter with the counteſs dowager of Waldegrave. The meſſage recommended to both houſes to take into conſideration whether it may not be expedient to ſupply the defects of the laws now in being to prevent the deſcendants of his late majeſty from marrying without the conſent of the king, his heirs and ſucceſſors. A bill was accordingly brought in, declaring all ſuch marriages, without ſuch conſent, to be null and void. The deſcendants, if above twenty-five years of age, may, however, marry without the royal conſent, after having given to the privy-council twelve months notice of their intention, provided, before the expiration of that term, the parliament ſhall have expreſſed no diſapprobation of the contract. This bill met with great oppoſition from both houſes, and the whig party employed every poſſible argument to prevent its ſucceſs. The debates on this occaſion were numerous and tedious. The opinion of the judges being demanded, they reported, that the care and approbation of the marriage of the children and grandchildren to the king, and the preſumptive heir to the crown (other than the iſſue of foreign families), do belong to the kings of this realm; but to what other branch of the royal family this care and approbation extend, they could not find precedents ſufficient to determine.

"The deſcendants of George II.," ſaid the lords' proteſt againſt the bill, "comprehend a very numerous deſcription of people, and it would be an intolerable grievance that the marriages of ſo many ſubjects, diſperſed amongſt the various ranks of civil life, ſhould be ſubject to the reſtraints of this act. It ſeems indecent to the royal family to ſuppoſe that they arrive later at the age of diſcretion than others, and abſurd to allow them capable of governing a kingdom at an age when they are not to

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be truſted with the choice of a wife.---It ſeems," continued the proteſt, " to be a mere act of power, having neither the force nor obligation of law, and contrary to the inherent rights of human nature, to diſable a man from contracting marriage, perhaps for life; and it is pregnant with civil diſcord and confuſion, as having a natural tendency, at ſome future period, to produce a diſputed title to the crown---and all this for ends wholly diſproportionate to ſuch extraordinary efforts, as the main purpoſes of the bill might have been anſwered, without creating that perpetuity of reſtraint, which they think themſelves, in conſcience, bound to oppoſe."

The bill paſſed the commons on the 24th of March by a majority of 165 againſt 115. It was paſſed in the lords alſo by a great majority.

Some attempts were made during this ſeſſion towards regulating the affairs of the Eaſt India company; but as nothing materiai was then effected, we ſhall defer the account of thoſe affairs till the next chapter.

Beſides thoſe which have been noticed, the only affair of a public nature which merited the attention of parliament, was the ſettlement of the iſland of St. Vincent's in the Weſt Indies. This iſland had been ceded to Britain by the treaty of 1763. Its original inhabitants were called Caribs, and were of two different colours, black and yellow. The latter were the original poſſeſſors; the blacks were originally a crew of ſlaves brought from Guinea by an Engliſh ſhip bound to Barbadoes, which happened to be wrecked on this coaſt. The blacks having eſcaped, and having among them women of their own country, formed a colony by themſelves, with little intermixture of the yellow Caribs, whom they by degrees had almoſt worn out; whilethey themſelves, by continual acceſſions of their runaway countrymen from the neighbouring iſlands, were become very numerous and ſtrong. Both theſe colonies lived in the manner uſual with ſavage nations, *viz.* by hunting and fiſhing, without agriculture or any of the arts of civilization. The French, though they made a ſettlement on St. Vincent's, always acknowledged the independency of theſe people, who,

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upon the eſtabliſhment of the former, had removed to another part of the iſland; and when the country was at laſt ceded to Britain, they ſtill continued to aſſert their liberty, and that they were independent both of the king of France and Great Britain. The fertility of that part of the iſland, to which they had removed, having tempted the avarice of the Britiſh planters, ſchemes were formed for the total extermination of theſe innocent people, or their removal to Africa, or ſome deſert iſland on the African coaſt. Every method, therefore, was taken to provoke them to hoſtilities, and the moſt violent complaints were ſent home, though it appeared that there was not the leaſt foundation for them. They prevailed ſo far, however, that a conſiderable force was ſent thither on purpoſe to reduce them, and the ſcheme of tranſplantation ſeemed to be ſeriouſly adopted, though the place of deſtination was never determined. The Caribs defended themſelves vigorouſly, and with ſo much effect, that in two months time the Britiſh troops had been able to penetrate no farther into their country than four miles. The expedition alſo appeared exceedingly unjuſt, as well as cruel, to the officers employed in carrying it on. The cauſe of the Caribs was taken up by oppoſition; but while both parties were preparing for the uſual fury of debate, intelligence arrived of the ſubmiſſion of the Caribs, they having owned the ſovereignty of the king of Great Britain, and ceded a large tract of country, which promiſed to be of the utmoſt importance to the intereſts of this iſland.

The ill temper which had ſo unaccountably taken place between the two houſes in the preceding ſeſſion, was continued through the whole of the preſent, and, except in the tranſmitting of bills from one to the other, there was no more communication between them, than if they had been the jealous councils of two rival ſtates. But near the cloſe of the ſeſſion ſome explanations took place between them, which had a ſalutary effect.

When the ſeſſions ended on the 9th of June 1772, his majeſty, in the cuſtomary ſtrain, exhorted the members of both houſes to cultivate and improve a ſpirit of harmony and confidence amongſt all ranks of men, and to

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make it their conſtant care to inculcate a cheerful acquieſcence to juſt authority. This leſſon is certainly uſeful and important; but in order to ſecure that ready and cheerful acquieſcence riſing by juſt gradations into *confidence* and affection, it is no leſs neceſſary that rulers and governors ſhould ſhow themſelves diſpoſed to exerciſe their authority with mildneſs, with equity, with moderation. His majeſty at the ſame time informed the houſes of parliament of the pacific diſpoſition of other powers, and that there was the ſtrongeſt reaſon to believe that the tranquillity of this nation was not in danger of being diſturbed.

The nation at this time flattered themſelves that they perceived ſome inclination in the adminiſtration to accommodate the diſputes ſo long ſubſiſting with America; the repeal of the oppreſſive port duties, though with one unfortunate exception, was regarded as an indication of that inclination. This was farther confirmed by the reſignation at this period of the earl of Hillſborough, ſecretary of ſtate for America, who was, on various accounts, very obnoxious to the colonies, and the ſubſequent appointment of the earl of Dartmouth, a nobleman of acknowledged probity, of a mild and lenient temper, and who had uniformly oppoſed in parliament American taxation in every form. Some other changes and promotions alſo took place during the receſs of parliament. The earl of Harcourt ſucceeded lord Townſhend as lord lieutenant of Ireland, and lord Stormont was appointed ambaſſador at the court of Verſailles in the room of lord Harcourt. Mr. Charles Jenkinſon being nominated vice-treaſurer of Ireland, his ſeat at the board of treaſury was filled by the honourable Charles James Fox, ſecond ſon of lord Holland, a young man who had already arreſted the attention of the public by the extent of his political knowledge, and the ſplendour of his parliamentary talents.

The enemies of this young ſenator took great pains to depreciate his merit on account of his having indulged himſelf in the too faſhionable pleaſures of diſſipation and luxury—the bane of brilliant talents and amiable diſpoſitions;

fitions; but it is generally acknowledged that Mr. Fox has greatly redeemed the errors of his youth by the attainments of his riper years, and by devoting his unrivalled talents almoſt excluſively to the noble and tranſcendant purpoſe of promoting, by the moſt unwearied and unremitting exertions, the peace, welfare, and happineſs of his country.

As nothing very material occurred in England during the receſs, we ſhall embrace that opportunity of exhibiting a ſketch of the ſtate of the neighbouring nations at this period.

During the winter, negotiations for a peace had been carried on between the Ruſſians and the Turks, through the means, and under the apparent mediation, of the courts of Vienna and Berlin. But theſe negotiations, which languiſhed in the hands of the mediators, reſumed vigour on the banks of the Danube, by a direct intercourſe between general Romanzow and the grand vizir. By their means a ſuſpenſion of hoſtilities and a congreſs were agreed upon on the 30th of May 1772. Count Orlow and Oſman Effendi were appointed the principal plenipotentiaries; but this congreſs broke up without effecting any thing, and another was afterwards held at Bucharеſt. In the mean time the Ruſſians gained an important point by making a treaty with the Tartars of the Crimea. This ſecond negotiation, however, proved equally ineffectual, for the preſent, with the former. In Turkey Mouſſon Oglou was appointed grand vizir. During the ſummer Ali Bey was defeated and driven out of Egypt by Mahomet Aboudaab, and obliged to take refuge in Syria, where he was affectionately received by his friend the Cheik Daher.

The conduct of the powers which accompliſhed the unjuſt diviſion of Poland, augmented daily in atrocities and crimes, and afforded reaſonable cauſe to fear the overthrow of liberty in Europe. The king of Pruſſia carried off from the province of Great Poland and the adjoining diſtricts twelve thouſand families, who were ſent with their effects to ſtock the barren ſands and bleak wilds of his hereditary dominions. In the partition of

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Poland, which was effected by this diabolical conſpiracy of kings, Ruſſia obtained the whole country weſt of the Dwina and Nieper; the emperor ſeized a vaſt tract extending from Moravia to Volhynia; and to Royal Pruſſia the other ſceptred robber added the moſt flouriſhing diſtricts of Great Poland.

In the year 1772 there happened two extraordinary revolutions in the north of Europe, the one in Sweden, and the other in Denmark, which, for their importance, demand a more particular detail, and the more ſo as the queen of the latter was ſiſter to his Britannic majeſty, and is ſuppoſed to have been intimately connected with thoſe events.

It had always been a rule with the Swedes, in which they differed widely and happily from their Poliſh neighbours, that though the crown was elective, they conſtantly preſented it to ſome prince of the blood royal, and generally to the next of blood, minority, ſome glaring faults, or incapacity, being almoſt the only exceptions; ſo that by this means, though the kingdom was not abſolutely hereditary, the ſucceſſion generally run pretty regularly. As the marriage of queen Ulrica was not productive of iſſue, the ſtates, upon the death of that princeſs (1741), proceeded to the election of a preſumptive heir to the throne, who ſhould ſucceed at the demiſe of the reigning king.

Several candidates were propoſed, and made great intereſt upon this occaſion; among thoſe were the prince royal of Denmark, afterwards Frederic V., the preſent landgrave of Heſſe Caſſel, nephew to the king of Sweden and the duke of Deux Ponts. The king of Denmark engaged in this affair with great earneſtneſs in favour of his ſon; and as Sweden was then engaged in a ruinous war with Ruſſia, the alliance and aſſiſtance of the Danes, which was offered, was no trifling temptation in ſuch circumſtances. The ſtates, notwithſtanding, choſe the duke of Holſtein Gottorp for their future ſovereign, whoſe grandmother was eldeſt ſiſter to Charles XII. and who was himſelf the preſumptive heir, and was afterwards the unhappy Peter III. emperor of Ruſſia. This prince,

as the reſt of mankind would have done in the ſame ſituation, preferred the ſplendid glare and arbitrary dominion of Ruſſia to the quiet ſecurity and limited power of Sweden. Notwithſtanding this rejection, and the danger of their being involved in an immediate war with Denmark, which ſeemed almoſt inevitable, if they refuſed to chuſe that prince, the ſtates perſevered in their attachment to the family, and in 1743 elected Adolphus, prince of Holſtein, biſhop of Lubec, and uncle to the young duke, ſucceſſor to the crown.

This prince ſucceeded to the throne upon the death of Frederic of Heſſe Caſſel (1751), upon the ſame terms and conditions, and under the ſame reſtrictions, with his two immediate predeceſſors. Upon the death of this monarch, he was ſucceeded by the late king, Guſtavus III. who was then at Paris. In his declaration from Paris to the ſenate, his aſſurances to them upon his arrival in Sweden, and his ſpeech at the opening of the diet, no prince, in any age or country, ever made ſtronger and more ſolemn profeſſions of the moſt profound veneration and reſpect, the moſt unbounded affection, and the moſt inviolable attachment to the eſtabliſhed laws and conſtitution of his country, than he did; he not only declared his own abhorrence of an abſolute government, but that he would always conſider as the declared enemies of his perſon and kingdom, and as the moſt notorious traitors to their country, all thoſe who ſhould ſecretly or openly, on any pretence whatſoever, ſeek to introduce again an unlimited authority, or what was called ſovereignty; that he thought it his greateſt glory to be the firſt citizen of a free country; and that to govern it free and independent was the laſt object of his ambition. He even went needleſsly out of his way, to introduce the form of regency of the year 1720, to ſpecify it particularly as a part of that conſtitution to which he was ſo religiouſly attached, and to remind the people of the oath which he had already taken to fulfil it in all its parts, alluding to the oaths which he had been obliged to take when he was acknowledged ſucceſſor to the crown.

His profeſſions and declarations were, in truth, ſo exceſſive, that if they had occurred in the common tranſ-

actions of life, they would have excited ſtrong ſuſpicions of their ſincerity, with thoſe who value themſelves on being acquainted with (what is called) the world. Notwithſtanding theſe plauſible appearances, and the ſtrenuous endeavours of the court party in the diet, no relaxation could be obtained in the capitulations, though the coronation had been ſo long delayed upon that account. The king was accordingly obliged to ſign the capitulations in their primitive form on the 28th of February 1772, and to confirm them by oath. Indeed the articles were ſo numerous and ſo reſtrictive, that they could not have been ſuppoſed eligible to any other prince; but the king had ſo repeatedly profeſſed the moſt republican principles, that it might have almoſt been thought that he had been the framer of them. In the two laſt articles, which were evidently added by himſelf, he abſolves the ſtates from their oath of allegiance, if he ſhould premeditatedly infringe his oath and the capitulation, or even any thing in the future, which the ſtate ſhould judge it neceſſary to preſcribe further for the improvement or ſecurity of the form of regency. He alſo menaces, with his utmoſt wrath, whoever ſhould dare to propoſe the addition of one degree of power or ſplendour more to him, than what was contained in the preſent capitulation. Upon the whole, we may find many princes that will imitate Trajan in the manner of preſenting a ſword; but it will be difficult to find another that will reſemble him in the ſincerity of the action.

The coronation, which took place on the 22d of May, was conducted with extraordinary magnificence, and the different orders of the ſtate, as well as the people in general, vied with each other in the demonſtrations of joy which they ſhowed upon the occaſion. A few days after, when the different orders of the ſtate waited upon the king to do homage, and to take the oaths of allegiance, the king, in his ſpeech upon that occaſion, made the following generous profeſſions: That, aſſured of their hearts, and moſt ſincerely purpoſing to merit them, and to fix his throne upon their love and felicity, the public engagement they were going to enter into would, in his opi-

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nion, be needleſs, if ancient cuſtom and the laws of the country did not require it.—" Unhappy the king, who wants the tie of oaths to ſecure himſelf on the throne, and who, not aſſured of the hearts of his ſubjects, is conſtrained to reign only by the force of laws, when he cannot by the love of his people."

Such ſentiments would have done honour to any monarch in any age. The whole ſpeech carried an air of the moſt ſerious piety, the moſt diſintereſted patriotiſm, and the moſt paternal tenderneſs. The different orders were reſpectively addreſſed in terms ſuited to their particular rank, functions, and diſpoſitions; and the whole was conducted with great art. In the midſt, however, of this cordiality and apparent ſatisfaction, ſome inſinuations of a ſtrange and dark nature were thrown out, which expreſſed little, and ſeemed to imply a great deal, and which might have been eaſily underſtood ſo as to contain any meaning that it was intended to draw from them, and might have been as eaſily explained in ſuch a manner as to have no particular ſignification. The king reminds the ſtates of the weight of the engagement they were going to take; that they beſt knew the extent of their duty to themſelves and the commonwealth. He then ſuddenly breaks out into an ardent with or prayer, that concord and harmony may unite their hearts, that foreign views and private gain may ever be ſacrificed to the public intereſts, and that the ambition of no part of them ſhould ever raiſe any ſuch diſturbances as might endanger the freedom and independency of the whole commonwealth.

What effect this part of the ſpeech had upon the hearers, we are not acquainted with. It was undoubtedly well contrived to excite extraordinary doubts, ſuſpicions, and jealouſies in the minds of thoſe who had not a clue to unravel the myſtery. The three lower orders of the ſtate muſt have been particularly affected in this manner, who could ſcarcely avoid ſuppoſing that the nobility and ſenate had formed ſome atrocious ſcheme for the deſtruction of the nation, with which the king was acquainted, and which they had not themſelves penetration to diſcover.

The diet ſtill continued ſitting, when thoſe deſigns, which probably had long been in embryo, began to reveal themſelves. As it was neceſſary that the experiment ſhould be made at a conſiderable diſtance from the metropolis, in order that it might operate, in ſome degree, before the ſenate and ſtates ſhould receive information of it, and might acquire a conſiderable maturity of ſtrength before their attempts to cruſh it could take place; it was equally neceſſary that the ſcene ſhould be laid in a place where the military force, which the crown could ſafely confide in, ſhould be ſuperior in power, if not in number, to the inhabitants, whoſe inclinations were every-where doubtful. The ſmall city and ſtrong fortreſs of Chriſtianſtadt in Scania, at the diſtance of about two hundred and fifty miles from Stockholm, afforded all theſe advantages and many others, and was accordingly, with great judgment, made choice of for the purpoſe.

As the province of Scania forms the ſouthern extremity of Sweden, and is the frontier to Denmark, from which it is only detached by the narrow paſſage of the Sound; it is conſequently better furniſhed with troops and fortifications than any other part of the kingdom, and contains beſides the great arſenal and magazines for the navy at Carlſcroon. Beſides the ſtrength of this province, its ſituation would be of the greateſt conſequence if the troubles were to prove laſting and dangerous; it would preſerve an open communication with all foreign countries, as well as with the Swediſh Pomerania, and would enable the king of Pruſſia to have thrown any forces that he thought neceſſary into the kingdom for the ſupport of his nephews—in the worſt extremity it would have afforded a ſecure retreat out of the country. It may not be an improbable opinion, that as that province has frequently changed its maſters, having been long and often in the poſſeſſion of the Danes, it might have been alſo ſuppoſed to be leſs attached to the ancient forms of government, and more indifferent to the intereſts of the kingdom in general than any other.

The three royal brothers were too prudent to confine, ſuch a conjuncture, their whole fortune and all their

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persons within the walls of a single city; and they were too wise not to see that their being in separate stations would contribute more to the success of the great design which they had in view. Prince Charles, the king's next brother, accordingly set out for Scania, under pretence of meeting the queen dowager, upon her return from the court of Berlin, where she had been for some time upon a visit; and prince Frederic Adolphus went into the neighbouring province of Ostrogothia, which lies in the way from Stockholm, under pretence of drinking some mineral waters for his health. Both these princes had regiments, and principal commands in the army, and were greatly beloved by the troops.

Every thing now being in as good a train as could be wished, an insurrection took place, August 12th, in the garrison of Christianstadt, where one Hellichius, a captain, having at the head of the soldiers seized upon the magazines, arms, and fortifications, speedily published a studied manifesto, which, though a strange composition, carried sufficient marks of the quarter in which it had been fabricated. In this piece they represent the states of the kingdom, as a combination of persons, who by artifice and violence, the violation of the laws, and the injury of their fellow citizens, had usurped the title and authority which they now assumed; that they had exercised a most illegal despotism, broken through all the limits of equity, totally neglected the true end of their appointment, and promoted foreign designs: All of which was manifest, as they had taken no measures for preventing or supplying the want of corn, notwithstanding the dreadful dearth with which the provinces were so grievously afflicted; nor had set on foot any means or expedients for the promoting of industry and commerce, or for causing a circulation of money; that all the several branches of national defence had been so grossly and palpably neglected, that the ruin of the kingdom must be the unavoidable consequence; that all public and private security was trampled under foot, and the honour, reputation, and property of good and honest men were not protected. That this despotic and arbitrary power was carried so far, as to encroach even upon

the rights and lawful power of the king himself, in direct opposition to the majestic dignity of the crown. That therefore they, the garrison of that city, finding such a government to be the worst of all despotic and arbitrary systems, were bound, by the oaths they had taken, and the obligations they owed to themselves and to posterity, to reject, oppose, and suppress it; and they accordingly renounce all regard and obedience to the present states of the kingdom, as they called themselves; and all that they had hitherto resolved and concluded upon, was declared to be an absolute nullity, and liable to inquiry and punishment. They then called upon all true Swedes, as they regarded the duties they owed to God, their king, and their country, to join with them, as the only means of delivery from a most deplorable ruin, and the danger of a foreign oppression, not the less destructive for being clandestine. They concluded, in the fashionable strain, with a pious appeal to heaven for the rectitude and integrity of their motives and intentions, which were solely directed to the good of their country, in such a manner as to give to God the things which are God's, and to the king the things which are his.

Prince Charles was at Carlscroon, between forty and fifty miles southward of Christianstadt, when the news arrived of the revolt. He immediately seized the opportunity, which his rank and quality afforded, of giving the troops orders to assemble, and taking upon himself the command; and became master at the same time of Carlscroon, by which the arsenal, magazines, and navy were put into his hands. He then published one of those enigmatical incomprehensible manifestos, which seem at present to be established as a particular mode among the northern powers of Europe, and which he ordered to be read at the head of every company, and to be printed, and read on the following Sunday in all the pulpits of Schonen.

It would have been impossible to guess, from the greater part of this declaration, what part the prince himself intended to take, or how the people were to act with safety to themselves in these circumstances.

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He expreſſed great concern for the tumult at Chriſtianſtadt, which, he ſaid, threatened the ruin of many worthy ſubjects; that the oath which he had taken to their beloved king and the kingdom, did not permit him to ſee, with a frigid compoſure, or puſillanimous indifference, deſtruction breaking in upon his beloved countrymen; that he was determined to quench a fire with all expedition, which, when blazing out in a flame, it would require much blood to quench; that he devoted himſelf with joy to prevent the dangers that threatened their beloved ſovereign, the country, and the national freedom; he therefore permitted all the inhabitants to ſecond his views in whatever he ſhould command for promoting that patriotic deſign.

Hitherto it would appear, ſo far as the ſenſe can be gathered, that this prince intended immediately to attempt the quelling of the inſurrection, and that he warned the people to prepare for giving ſuch aſſiſtance as he ſhould require upon the occaſion. The concluſion of this piece, though dark and myſterious, ſeems however to inſinuate another intention. The prince exhorts the inhabitants, that, inſtead of being influenced by the former yoke, by diſſenſions or mutual miſtruſts, they would, with general and united ſtrength, for the reſtoration of tranquillity among them, at leaſt deliver up that infernal breed, which have inſenſibly drawn them into ſuch abjectneſs and calamity; for that the ſword of deſtruction hung over their heads, over the citizen in his houſe, the peaſant in his field, the beggar in his hut, and the child in his cradle. It becomes almoſt neceſſary to obſerve, that no yoke, paſt or preſent, nor no breed of any kind, had been before taken notice of in this declaration.

Such was the cloud of unknown and undefined dangers which was ſpread over the heads of theſe people. There ſeem to be ſome conceptions which ſwallow abſurdities with the greater eaſe, in proportion to their magnitude, while others will heſitate at thoſe above a certain ſize; but thoſe politicians muſt ſurely have an accurate knowledge of mankind, who can

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exactly proportion the one to the capacity of the other. The prince having impreſſed ſuch terrors upon the minds of the people as were neceſſary to his future deſigns, and left ſuch a garriſon in Carlſcroon as he could depend upon, marched with ſuch troops as were aſſembled (having left orders for the others to follow as they arrived) and with ſome cannon towards Chriſtianſtadt. His brother, prince Frederic, taking the ſame advantage from the danger of the inſurrection, put himſelf at the ſame time at the head of the troops in Oſtrogothia.

It is ſaid that general Rudbeck, one of the ſenators, who happened then to be in thoſe quarters, and immediately ſet off poſt for Stockholm, was the firſt who brought the ſenate an account of the inſurrection and of the ſubſequent tranſactions. This intelligence immediately produced an extraordinary meeting of that body, as well as of the ſecret committee the reſult of which was the delegating of full powers for the aſſembling of the troops, and the taking of all other meaſures which they ſhould think neceſſary for quelling the inſurrection, to the ſenator baron Funck and to general Pechlin, who were accordingly forthwith deſpatched upon that expedition. It is probable that, notwithſtanding the obſcurity in which it was wrapt, the tendency of prince Charles's manifeſto was well underſtood by the ſenate and the ſecret committee, as, from the inſtant of general Rudbeck's arrival, they ſhowed the greateſt jealouſy of the deſigns of the roval family, and took every poſſible meaſure to counteract them. As they knew that the regiments quartered in Stockholm were too ſtrongly attached to the royal brothers for them to place any dependance on their fidelity, they accordingly deſpatched orders to the regiments of Upland and Sudermania to march with all poſſible expedition thither. They then gave orders to the city cavalry, which is compoſed of the burghers, to mount their horſes, and to fix patroles in all proper and convenient parts of the city and ſuburbs, and appointed the ſenator count Kalling, who was alſo conſidered as prime miniſter, to be commandant general, with all the authority which they were capable of

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conferring. They alſo required of the king not to depart from Stockholm, in terms, it is ſaid, which amounted to little leſs than an abſolute command, and deſired at the ſame time that he would recall his brothers without delay, under pretence of an apprehenſion for the ſafety of their perſons, from their vicinity to the rebels.

The king was not conſulted upon any of the reſolutions that were paſſed, or the meaſures that were taken. It is ſaid that ſuch papers as it was neceſſary he ſhould ſign, were ſent to him for that purpoſe, without any farther communication. This prince ſhowed great marks of ſurpriſe when the account of the inſurrection was communicated to him; but abſolutely refuſed to ſign the commiſſion that attended it for empowering the delegates who were going to Scania to take the command of the army. This refuſal was, however, of no conſequence for the preſent, as the ſenate affixed both his name and ſeal to it. In the mean time the king, as to all outward appearance, ſeemed quite ſatisfied with what was going forward, and his carriage in the eye of the public was ſuch, as if every thing had been done under his directions, even ſo far as to viſit the poſts and patroles of the burghers, and to thank them for their attention to the public ſafety.

Notwithſtanding the ſlights that had been apparently put upon the king in the courſe of theſe proceedings, when the ſecret committee and ſenate laid their reſolutions and the meaſures they had taken before a full aſſembly of the ſtates in the diet, every thing they had done was approved of, and confirmed by that body.

Though the king ſeemed totally dormant and inactive with reſpect to the preſent tranſactions, it is evident that he was taking the moſt effectual meaſures to accompliſh the great deſign he had in view, to the ſucceſs of which nothing contributed ſo much as the admirable ſilence and ſecrecy with which they were conducted. Things were, however, arrived at a criſis which did not any longer admit of diſguiſe. The arrival of the two regiments, which had been ſent for by the ſenate, might have overthrown the whole project; and it was

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perhaps fortunate for the king, without derogating in any degree from his ability, that the circumſtances which attended his receiving a deſpatch from prince Charles, precipitated matters to ſo immediate a concluſion, as to prevent that dangerous heſitation which, from its nature, operates in the moſt critical moment, and has thereby frequently proved fatal to the greateſt undertakings.

It is ſaid that the king, having received deſpatches from his brother, prince Charles, in the evening, ſummoned a meeting of the ſenators early the next morning, Auguſt 19th, when he expoſtulated warmly with them, upon the orders they had ſent to Schonen, and the other meaſures they had taken without his conſent; and that the aſſembly, without taking any notice of the king's complaints, inſiſted that he ſhould ſhow them the letters which he had received from his brother; that the king having peremptorily refuſed to comply with this extraordinary demand, and expreſſed his indignation at the propoſal, count Kalling, the miniſter, went ſo far as to tell him, that, in the preſent circumſtances, he ſhould not have opened any letters except in the preſence of the ſenate, or at leaſt of himſelf: That both ſides growing more warm, and the king perſiſting in his refuſal, ſome of the ſenators cried out, it was full time to ſecure his perſon, and accordingly attempted to ſeize his ſword. The king, upon this inſult, immediately drew his ſword, and appalled them ſo effectually, both by his reſolution and looks, that he had an opportunity of quitting the room without oppoſition, and having gone down a few ſteps, returned haſtily, locked the door of the ſenate-room, and put the key in his pocket.

It is added that he then went immediately to the grand guard, and, having aſſembled the officers, he made a ſpeech, complaining of the arbitrary ariſtocratical faction under which they and the nation in general had ſo long groaned; that this cruel tyranny became every day more intolerable; that he was determined to run all hazards to get rid of it, and aſked them whether they would aſſiſt their king in ſhaking off ſo ignominious a yoke, and

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reſtoring the nation to its ancient liberty. To this propoſal the officers in general and all the ſoldiers aſſented with great readineſs, upon which the king aſſured them that he never would endeavour after the ſovereignty, and then aſked whether they would confirm upon oath their engagement to ſupport him? which being alſo agreed to, was immediately put in execution. The revolt being thus openly begun, the king tied a white handkerchief round his arm as a mark and ſignal to thoſe who were diſpoſed to eſpouſe his cauſe; and, being joined by ſeveral of the nobility and others, marched at the head of the guards to the arſenal and admiralty, where the ſame meaſures being taken, were attended with the ſame ſucceſs.

When the king had received the oaths of the officers and ſoldiers at the different departments, the next meaſure he thought neceſſary was to ſecure the perſon of baron Rudbeck, the governor and general commander. That nobleman, when he found himſelf diſobeyed and abandoned by the whole garriſon, was ſeized with ſuch an extremity of paſſion and grief, that he ran through the ſtreets with his ſword drawn, crying out, Brother Swedes, to arms! to arms! if not, your liberty is loſt. As it was apprehended that the arreſt of this nobleman would, from his popularity and influence, be attended with danger, and probably excite an extraordinary commotion among the people, the king ſent to the foreign miniſters, to entreat of them to withdraw to the caſtle, for fear of thoſe accidents to which ſuch tumults are liable. This propoſal was readily complied with; but the precaution was needleſs. Whether the people, through length of time, were grown inſenſible of the value of their liberties, whether they wanted ſpirit to defend them, or that the military power which ſurrounded them was of ſuch force as apparently to render all oppoſition fruitleſs, however it was, Rudbeck was arreſted without commotion or tumult.

Thus was this great and almoſt unparalleled revolution accompliſhed, and an extenſive nation deprived of

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its liberties in a ſingle morning, without bloodſhed, without noiſe, without tumult, and without oppoſition; while the people flocked together with as much indifference and tranquillity as if it had only been ſome holiday ſport. The king then repaired to the caſtle, and, having ſent for the foreign miniſters, informed them, that it was with tears in his eyes he had agreed to the meaſure of which they were witneſſes, and which he was forced to take for the ſecurity of his perſon, as well as of the ſtate, which were both equally in danger. He entreated them to aſſure their reſpective courts that his motives, when made known, would juſtify him in the eyes of all Europe; that this affair ſhould not be productive of any alteration in his conduct with reſpect to other powers, and to be aſſured, that what he had done was for the welfare of his people, and the maintenance of true liberty.

Orders were immediately deſpatched to Schonen to counteract thoſe which the ſenate had given to their delegates, and to confirm prince Charles in the command of the troops. Three declarations were alſo almoſt inſtantaneouſly iſſued; one, under the title of a moſt gracious aſſurance to the life-guards, the corps of artillery, and all other faithful ſubjects within the city of Stockholm; the next, a gracious declaration to the faithful ſubjects at Stockholm; and the third, a notification to the nation in general of ſome pernicious attempts againſt the king's rights and the ſafety of the nation.

The following day, Auguſt 21ſt, being appointed for aboliſhing the old form of government, and the eſtabliſhment of the new, the king aſſembled all the ſtates in a plena plenorum for that purpoſe. Such deciſive meaſures were taken for the completion of this great act as committed nothing to the hazard of chance, or to the caprice of fortune. A large detachment of the guards took poſſeſſion in the morning of the ſquare where the houſe of nobles ſtands; the palace was inveſted on every ſide with troops; all the garriſon were under arms; every thing carried not only the appearance of war, but

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of the immediate attack of an enemy, while cannon were brought in, and planted in the great court of the hall where the ſtates were aſſembled.

Being thus conveniently ſecured in this place of terrors, it was not a matter of much conſideration whether they ſhould accede to the propoſitions that were to be made to them. The king opened the ſcene by entering the hall in all his regalia; ſoon after which, having the ſilver hammer of Guſtavus Adolphus in his hand, he made himſelf the ſignal for ſilence, an office which was uſually executed by a ſenator; but none of that body were in the preſent aſſembly.

The king then made a long ſpeech to the ſtates, in which he repreſented the deplorable ſtate to which the nation was reduced by the two great factions that divided the people; that by this means they were ſevered, as it were, into two ſeparate nations, who united only in the mangling of their country; that the rancour, revenge, and perſecution that proceeded from this ſtate of diſcord, was productive of new revolutions, that grew at length into a periodical diſeaſe, which diſfigured the whole commonwealth; that commotions, which ſhook the realm, ſprung from the ambition of a few; that ſtreams of blood had been poured ſometimes by one party, and ſometimes by another; and that the people were always the ſacrifices to quarrels, in the event of which they had but little concern: That the only end of their rulers had been to fortify their own power, and that every thing had of neceſſity been adapted to that purpoſe; that where the law was clear, the letter of it had been perverted; and where it had been palpably repugnant, it had been broken through: That nothing had been ſacred to a people inflamed with hatred and revenge, and that the ſeeds of confuſion had in the end extended ſo far, that it became a declared opinion that a *majority* was above the law, and owned no reſtraint but its own pleaſure.

That thus liberty, the nobleſt of all the rights of men, had been transformed into an inſupportable ariſtocratical tyranny in the hands of the ruling party, which

was itſelf enſlaved, and led at pleaſure by a very ſmall number of its body; that the notice of a new aſſembly of the ſtates made every one tremble; that, far from conſidering how the affairs of the nation might be beſt tranſacted, they were only buſied in getting together a majority for their party, that they might be ſcreened from the inſolence and lawleſs violence of the other.—The king then lays or inſinuates a charge of the blackeſt dye. He ſays, "If the interior ſituation of the realm ſtood thus endangered, how hideous was its external aſpect! I bluſh to ſpeak about it. Born a Swede, and a king of Sweden, it ſhould be an impoſſibility for me to believe that foreign ſchemes ſhould govern Swediſh men, and that the very baſeſt means ſhould have been employed for that purpoſe. You know what it is I mean; my bluſhes ought to make you deeply ſenſible into what contempt the kingdom has been thrown by your quarrels."

The king, after this heinous charge, entered into a recapitulation of his own conduct, and into animadverſions on that of the preſent diet, in the latter of which he obliquely renews the moſt culpable part of the former charge, without that delicacy which had before affected him. In what related to himſelf he ſet forth the pains and induſtry which he had uſed to unite them, and the means which he had propoſed, or intended, to remedy thoſe numberleſs evils, and called upon any one of them, who could diſavow what he ſaid, to do it boldly. He ſaid that he hoped his endeavours would have releaſed them from thoſe chains which foreign gold, inteſtine hatred, and avowed licentiouſneſs, were on the point of fixing upon them; and that the hideous examples of other countries, thus enſlaved, might have afforded them a threatening warning; but that all had been in vain. That they had been miſguided on one hand by their leaders, and on the other inflamed by their private animoſities; that nothing could reſtrain or ſet bounds to their violence; that the principal and moſt virtuous men among the citizens were ſacrificed; thoſe in office, who were of the greateſt merit, degraded; whole bodies of

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the magiſtracy diſmiſſed from their employments; and the forced complaints of the people conſidered as rebellion. That God himſelf ſeemed to have manifeſted his wrath againſt their iniquitous conduct—the earth refuſed to produce her fruits, and a ſcarcity deſolated the whole country; that they had applied no timely remedy to prevent or relieve this calamity, though he himſelf had ſtrenuouſly urged this ſubject to them; and that they had ſitten a whole year, and were a great burden to the country without their being of the ſmalleſt utility.

That in theſe unhappy circumſtances, when one province of the kingdom, urged by deſpair, had taken up arms, and the reſt were bewailing and ſighing without ſpeaking, he ſaw no alternative but to ſeize the means by which other free nations had been ſaved from oppreſſion and violence, and that Sweden herſelf had already been ſaved under the ſtandard of Guſtavus Vaſa. That all had ſucceeded; and that he had freed himſelf and his country without injury to any citizen. That the purpoſe he had in view, far from affecting liberty, was to eſtabliſh it, and to deſtroy licentiouſneſs—to render the people happy, by affording them the moſt perfect ſecurity in every reſpect by and under the law. That theſe benefits could only be obtained by eſtabliſhing, for the government of the kingdom, a fixed unalterable law, whoſe very letter muſt not be perverted, which muſt equally bind both the king and the ſtates, and which muſt be incapable of being repealed or altered, except by the free conſent of both. That ſuch a law, as binding upon himſelf as upon them, was that which was now to be preſented to them. That thoſe who ſhould believe that he had ſought any thing beſides liberty and equity, would be groſſly deceived; that he had promiſed to govern a free people, and that this vow was the more holy as it was voluntary; and what had paſſed ſhould not divert him from a deſign, which was not founded on neceſſity, but on conviction. He then made reiterated profeſſions of the good government which he intended to eſtabliſh and to perſevere in; and obſerved, that from all which he had now ſaid, they would eaſily

underſtand, that, ſo far from having had on his ſide the ſmalleſt private view, every thing he had done was from the love of his country. He concluded with an appeal to that Supreme Being who knew the bottom of his heart, and a warm wiſh that he might ſhower down his bleſſings on the accompliſhment of his decree.

The king then made a ſolemn renunciation upon oath of all abſolute ſovereignty and power, and that he did not even deſire or wiſh for it; after which he ordered the new form of government to be read to the ſtates by the ſecretary of reviſion. This piece, which is of a great length, conſiſts of fifty-ſeven articles; the moſt eſſential of which are—that the king is to chuſe the ſenate himſelf; that he is to call the ſtates together when he pleaſes, and to ſeparate them alſo when he pleaſes, after they have at any time continued ſitting for three months; that the contributions are to be given by the ſtates; but if not granted within three months, the old ones are to remain: In caſe of invaſion, or preſſing neceſſity, the king may impoſe ſome taxes for raiſing money till the ſtates can be aſſembled;—when the ſtates are aſſembled, they are not to deliberate upon any thing but what the king pleaſes to lay before them;—that the king is to have the ſole diſpoſition of the army, navy, and finances, and of all the employments civil and military.

When the whole of this piece was read through, the king aſked the plenum if they would give him their oath to obſerve this form of government. We may readily conceive that no aſſembly was ever more unanimous; there was not a ſingle diſſentient voice, nor the ſmalleſt debate, and the whole aſſembly were immediately ſworn upon the ſpot in the king's preſence. He then ordered the ſpeakers of the reſpective orders to come to the table, and to ſign and ſeal the new form; which was alſo immediately complied with.

This great work being thus finally accompliſhed, the king, with an appearance of piety, ſtood up and ſaid, that it was proper to thank Almighty God for his aſſiſtance in bringing about ſo happy an event; and then, pulling a pſalm-book out of his pocket, he began to ſing the

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Te Deum, in which the whole aſſembly, with great reverence, accompanied him. The king then graciouſly permitted them all to kiſs his hand; after which he quitted the room, and the ſtates ſeparated, without knowing whether they were ever to meet again.

The next morning all the old ſenators received their diſmiſſion, by letters which the king ſent reſpectively to them; and he conferred the dignity of ſenators and counſellors of the kingdom on fifteen noblemen, of whoſe attachment he was ſatisfied. As favourite names and terms and forms of little conſequence have frequently great influence upon the opinions of the populace, this prince was too artful a politician to neglect making a proper uſe of them.

As the names of the two Guſtavus's were very dear to the Swedes, the king accordingly miſſed no opportunity of ſhowing his attachment to the memory of thoſe great men, of holding them up as models by which to regulate his conduct, and of inſinuating ſome reſemblance at leaſt between his own ſituation and theirs. We have already ſeen the parade with which the ſilver hammer of Guſtavus Adolphus was diſplayed at the plenum; the king did not loſe ſight of this object upon the appointment of a new ſenate, and the letters of vocation, which were ſent to the members upon that occaſion, were a direct tranſcript of thoſe that had been uſed in the time of the former great prince. At the ſame time, to ſhow his own attention to the diſtreſſes of the people, and to confirm the odium which he had already brought upon the ſtates, by attributing to them the famine which prevailed, he cauſed ten thouſand meaſures of meal, of twenty pounds each, to be diſtributed among them; which, though inſufficient to afford them any effectual relief, was equal to the purpoſe for which it was deſigned.

The doubt of the ſtates, with reſpect to their being again aſſembled, was ſoon removed. Every thing was now changed, and they no longer ſeemed the ſame men. On the 25th of Auguſt the marſhal of the diet opened the plenum with a long ſpeech in praiſe of the king, mixed with pious acknowledgments to heaven for the

bleſſings of the late happy revolution. The different orders had no other emulation than in acts of adulation and ſervility, and no other buſineſs than to execute whatever they were ordered. The king made a ſhort ſpeech, in which he preſerved the ſame tone and manner which he had hitherto ſo ſucceſsfully practiſed; he returned thanks to heaven, which had that day enabled him to addreſs them with that confidence, and that ancient Swediſh ſimplicity, which had been in uſe in the time of his anceſtors: That as they had all now but one common aim, which was the good of the nation, it was neceſſary, for that purpoſe, that the aſſembly of the ſtates ſhould be ſpeedily terminated: That therefore his propoſals were very conciſe; that the exigencies of the ſtate were great, and that frugality ſhould not be wanting on his ſide. He then recommended concord and unanimity in their deliberations, and aſſured them that whatever they granted ſhould only be employed to their own good.

The propoſitions contained, that the uſual contributions ſhould be agreed to and confirmed; that an extraordinary ſupply ſhould be furniſhed for the expenſes of the late king's funeral, and for thoſe of the coronation; that, as it could not be determined how far the amount of thoſe two articles, together with the ordinary revenues, might be ſufficient to anſwer the neceſſities of the ſtate in *theſe times*, a ſecret committee might be appointed; choſen from the three orders who directed the affairs of the bank, with whom the king might deliberate upon the means to be uſed in certain caſes in which ſecrecy might be neceſſary; and laſtly, that the ſtates ſhould ſpeedily put the affairs of the bank into ſuch a condition, as would effectually facilitate all money tranſactions. The ſtates were alſo informed that it was the king's pleaſure, that they ſhould immediately take theſe matters into conſideration, and determine finally upon them within fourteen days, as it was neceſſary that the diet ſhould at that time be terminated.

The ſtates having now done every thing that the king wiſhed for, he thought it proper to diſmiſs them to their reſpec-

respective countries, in a state of as much good humour and self-satisfaction, with respect to their own conduct, as it was possible. His parting speech, at the breaking up of the diet, September 9, was filled with effusions of piety and gratitude to the Almighty, and of acknowledgments to them, for the happy facility with which, in so short a time, they had redeemed all their past misdeeds. The king concluded his speech with an information, that he hoped to *meet* them *again* at the end of *six* years.

The different orders of the states, through the mouths of their respective marshals, were not at all behind-hand in professions or compliments. The sincerity of their loyalty was indeed as suspicious, from the grossness of their adulation, as the excessive professions and acknowledgments of gratitude they made to Heaven, for its share in the present happy event, were from other obvious causes. The order of the clergy, however, went greater lengths, both in adulation and in professions of piety, than any of the others; though it must be acknowledged that the peasants, in this instance, fully justified Shakespeare's observation, and trod very close upon the heels both of the nobility and clergy. Indeed their marshal, upon this occasion, seemed to be a very different character from him who, in the days of Whitelock, made the celebrated speech to queen Christina. The whole language, on the side of the king, was that of a *patriot*, who had just *redeemed his country from the most deplorable tyranny*; and, on the other, of a people who knew no bounds to the gratitude which they owed to Heaven and to their deliverer.

The imputation which had been so artfully and industriously thrown upon the diet, of its being the cause of the distresses which the people underwent from the famine, had such an effect upon an ignorant populace, who, in their remote and solitary dwellings, have scarcely any means of information with respect to public affairs, but that which is designedly communicated to them to answer some particular purpose, that several of the senators were afraid to return to their respective countries, and were

were obliged to apply to the king for ſuch ſpeciai marks of his protection as might preſerve them from the conſequences.

In the mean time the king was not negligent in putting the internal government of the kingdom into ſuch hands as were fully to be confided in; nor did he forget to provide for thoſe who had diſtinguiſhed themſelves by their ſervices in bringing about the revolution. The great and principal governments were, ſo far as it might be, retained within the royal family. Prince Charles was created duke of Sudermania, and appointed to the government of the provinces of Scania, Halland, Bleckingen, Bahur-Lehn, and Smaland; prince Frederic-Adolphus, duke of Oſtrogothia, and the important government of Finland; and the king's mother, the queen dowager, was appointed governeſs of the Swediſh provinces in Germany.

The revolution in Denmark was, perhaps, rather the effect of accident than deſign. "Weak reigns," ſays a judicious writer, "are always the ages of favouritiſm; and odious as favourites are in general to mankind, they are ſeldom more ſo than they deſerve: The weakneſs that makes them neceſſary can ſeldom diſtinguiſh in its choice; and the qualities which make them agreeable are not often thoſe that are cultivated by the virtuous or the wiſe."

Count Struenſee was one of thoſe numerous adventurers, which, from the great number of its governments, abound more in Germany than in any other country. They are generally people of low birth, who receive a peculiar mixed education, that is neceſſary to the purſuits for which they are intended. Some knowledge of the civil law, of the rights of particular ſtates, of public forms and official writings, together with a minute attention to the etiquette of the reſpective courts, are indiſpenſably requiſite; to which may be added ſome knowledge in chymiſtry, if not in phyſic; of the moſt polite modern languages; and of the moſt faſhionable writers. Among the number of them thus endowed, that ſwarm about

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the different courts, and ſtraggle from one to the other, where they are well received, if not employed, there muſt be ſeveral ſo eminent in their genius, as to riſe by their merit to the firſt honours and employments; and thoſe who are not ſo happily diſtinguiſhed ſeldom fail, among ſuch a variety of characters as are exhibited among ſome hundreds of ſovereigns, to find ſome one, to whom they will render themſelves uſeful or agreeable. This encourages others to the ſame purſuit, and the ſucceſſion is never at an end.

Struenſee was the ſon of a Lutheran clergyman, who was the ſuperintendant of ſome churches in the dutchies of Sleſwic or Holſtein; he ſtudied phyſic and chymiſtry, and is ſaid to have been recommended to the preſent king of Denmark at Hamburgh, as a young man of conſiderable parts and abilities. He is repreſented to have been, in reality, a man of inſinuating addreſs, ſome abilities, great ambition, profligate manners, and abandoned in his principles.

His progreſs in favour was ſo rapid as to amaze every body. He quickly abandoned his profeſſion, becam miniſter of ſtate, and was, with his friend and fellow-adventurer Brandt, raiſed at once to the firſt rank of nobility in the kingdom, they being both created earls. Struenſee alſo ſent for his brother, who was made counſellor of ſtate, and placed either high in or at the head of the finances. The new favourites, intoxicated by his rapid elevation, loſt all appearances of moderation in their proſperity. Count Bernſtorff, and the old and faithful ſervants of the crown, were diſgraced and baniſhed from court; and ſuch of the ancient nobility as did not degrade themſelves by their conduct met with the ſame fate.

It is ſaid that count Brandt ſhowed, from the firſt, all that inſolence and arrogance that ſeemed peculiar to new men, upon a ſudden and unexpected riſe; but that Struenſee had more ſenſe and moderation in the beginning, until the ſhameful adulation and ſervility of the nobility made him at length to forget himſelf ſo entirely, as to

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ſhow the greateſt contempt, upon every occaſion, for the natives of the country, their language, manners, and even their laws. The king, during this time, from whatever cauſe, is repreſented to have been in a moſt deplorable ſtate of imbecility, both of body and mind.

An attempt to diſſolve the king's guards, and to incorporate them into other regiments, precipitated matters to a concluſion, ſooner than they probably would otherwiſe have arrived. The guards ſtood to their arms, and abſolutely refuſed to ſubmit to the degradation of being incorporated with other troops; but offered to lay them down, and accept of their diſcharge, upon obtaining liberty to retire to their reſpective countries. It was thought neceſſary to accept of this expedient, and the guards were accordingly diſcharged.

This extraordinary meaſure afforded an opportunity to the party who were concerting the ruin of the favourites, which they did not neglect to make uſe of. It was whiſpered, that the diſmiſſion of thoſe troops, who were the proper guards of the king's perſon, and whoſe fidelity and attachment to him were undiſputed, was the reſult of a deſign which had been laid to ſecure it, and to compel the king to ſign an act of renunciation, and to eſtabliſh a regency, by which the government was to be totally and finally lodged in the hands of the queen and the favourites; that the ruin of the kingdom was intended, and that Struenſee, who was a tool and a creature to France, had already diſgraced count Bernſtorff, who was the ſupporter of the Engliſh and Ruſſian ſyſtem, in order that the French influence might become ſupreme in their councils; that the whole adminiſtration would be lodged in the hands of foreigners; and that inſolence and contempt, which they already found ſo intolerable in a few, would then be extended to every department.

Theſe inſinuations ſpread rapidly among the people, while the original authors were totally concealed; and the averſion to the favourites was ſo general, that, among ſo many thouſand people, they had not one friend that would inform them of what every body thought and talked

talked of. They were accordingly wrapt up in the moſt profound ſecurity, while thoſe meaſures were taking with equal ſilence and ſecrecy, the effects of which they were ſo ſoon and ſo fatally to experience.

The queen dowager, Julia Maria, ſiſter to the duke of Brunſwick Wolfenbuttle, and mother to the king's half brother, prince Frederic, was at the head of the conſpiracy, which was now formed. She is juſtly repreſented, like all the German women, as artful, ambitious, and intriguing; and having been encouraged, from the weakneſs of adminiſtration, to form dangerous deſigns in favour of her ſon, who was now arrived in his 19th year, ſhe with that view, under an appearance of the greateſt friendſhip, impoſed upon the youth and innocence of the young queen, and artfully led her into thoſe meaſures which were the moſt exceptionable and unpopular in her conduct: While, in the mean time, her numerous emiſſaries were employed to miſrepreſent all her actions, and to ſwell her ſlighteſt errors, and the caſual inadvertencies of youth, into crimes of the blackeſt dye; that in the ſame manner, and with the ſame deſign, ſhe practiſed upon the weakneſs of the king, to render him odious to the people; and that even the late meaſure of incorporating or reducing the guards had originated from her.

A maſked ball having been given at court, Jan. 16th, 1772, the enſuing morning was deſtined for the execution of the plot. The principal perſons concerned, beſides the queen dowager and prince Frederic, were count Oſtein, count Rantzau, general Eichſtedt, and colonel Koller, who commanded the regiment which was that night upon duty, and brought over all the officers to their party. About four o'clock in the morning, the queen dowager, her ſon, general Eichſtedt, and count Rantzau, entered the king's bedchamber, and ordered the valet-de-chambre to awake him, and, in the ſurpriſe and alarm that this unexpected intruſion excited, informed him, that the reigning queen and the two Struenſees were at that inſtant buſy in drawing up an act of renunciation, which they would immediately after compel

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him to ſign; and that the only means he could uſe to prevent ſo imminent a danger, was to ſign thoſe orders, without loſs of time, which they had brought with them, for arreſting the queen and her accomplices. The king having heſitated at this propoſal, the queen Julia told him, that if he did not ſign them it would be of no great conſequence, as ſhe and her ſon would do it without him; ſome other converſation paſſed, and the king was in too great a terror not to comply with their demands.

Count Rantzau, and three officers, were deſpatched at that untimely hour to the queen's apartments, and immediately arreſted her. She ſhowed great indignation, and ſeemed almoſt diſtracted at this inſult; told Rantzau that he ſhould loſe his head for it, and repeatedly attempted to make her way to the king's apartments. She was however obliged to ſubmit to a neceſſity which ſhe could not reſiſt, and had but a very ſhort time allowed her to prepare for a journey to the caſtle of Cronenburgh; for which place ſhe was obliged, with the infant princeſs, to ſet out early in the morning, attended by lady Moſtyn, and eſcorted by a party of dragoons.

Struenſee and Brandt were ſeized in their beds, and it ſeems to have been done before the orders were ſigned; for the former having ſtarted up ſuddenly, and demanded eagerly to ſee the authority upon which he was arreſted, colonel Koller ſhowed him the point of his ſword, and ſaid that was ſufficient authority for the preſent; but that he had made himſelf anſwerable for the king's confirming it. Struenſee's brother was ſeized at the ſame time, and the three were ſent together to the citadel. Struenſee's adherents, and moſt of the members of the late adminiſtration, were ſeized the ſame night, to the number of about eighteen, among whom were general Gahler and his lady, the maſter of the horſe, baron Bulow, general Gude, colonel Falkenſchiold, general Heſſelburgh, Wildebrant a privy counſellor, and two ſecretaries of ſtate. Some of theſe were ſent to different priſons, and others confined to their own houſes.

The populace received ſome intelligence of theſe tranſactions early in the morning, and proceeded to ſtart ſe-

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ceſſes, in the eagerneſs of their joy for the downfal of the favourites. Near an hundred houſes are ſaid to have been plundered or demoliſhed upon this occaſion. As the people had ſome apprehenſions with reſpect to the king's perſon, he paſſed ſlowly in a coach through the principal ſtreets of the city, in company with his brother, to make them eaſy.

The unfortunate Struenſee, who had ſeen himſelf the idol of a crowded levee on the day immediately preceding, where the firſt people of the kingdom ſeemed ready to proſtrate themſelves, if he but happened to caſt his eyes towards them, and meaſured their importance when they came out, only by the countenance which he ſhowed them within, was now in a dark dungeon, chained to the floor, and loaded with the execrations of all mankind, while they who were moſt proud of his favour before, now either totally denied, or evaded the connexion, and were the loudeſt in the outcry againſt him. The animoſity of the populace to him was ſo extreme, that the commiſſioners were obliged to take his examinations within the citadel, with all the bridges drawn up to prevent their outrage. Nothing was to be met with in the ſtreets but ridiculous hiſtories and ballads of his riſe and fall, and caricature prints and pictures, which people were obliged to buy, to prevent their being thought his friends or abettors.

The government ſeemed now to be entirely lodged in the hands of the queen dowager and her ſon, ſupported and aſſiſted by thoſe who had the principal ſhare in the revolution; while the king ſeemed little more than a pageant, whoſe perſon and name it was neceſſary occaſionally to make uſe of. All the officers who had a hand in the revolution were immediately promoted, and an almoſt total change took place in all the departments of adminiſtration. A new council was appointed, in which prince Frederic preſided, and a commiſſion of eight members, to examine the papers of the priſoners, and to commence a proceſs againſt them.

Moſt of the ladies of the queen's houſehold were permitted to follow her to Cronenburgh; it does not appear

hat her confinement in that place was at any time very ſtrict; ſhe was permitted to walk upon the ramparts, and to take the air in a coach, under a guard. Her ſon, the prince royal, who was entered into his fifth year, was put under the care of a lady of quality, who was appointed governeſs, under the ſuperintendency of the queen dowager.

Struenſee and Brandt were hardly treated in priſon. Under pretence that they intended to deſtroy themſelves, they were removed from the neighbourhood of the walls in their reſpective dungeons, and chained down to the middle of the floor. Brandt, in the beginning, had amuſed himſelf with playing upon the flute; but upon a ſuppoſition that he intended to choak himſelf with it, it was taken away; and they were both deprived of the uſe of tobacco upon ſome ſimilar pretence. Several of their adherents were baniſhed the kingdom, and others to their native provinces for life. Struenſee's brother was diſcharged, and received money to carry him out of the kingdom, as nothing appeared againſt him, which ſeems to have been the caſe of the others. General Gahler's lady was permitted to withdraw from the citadel to her own houſe; general Gude, and the two cabinet ſecretaries, were ſet at liberty, and baron Bulow, the maſter of the horſe, was enlarged upon parole, that he would not go without his own houſe.

Struenſee, at his firſt examination before the commiſſioners, was ſhown the inſtruments of torture, which were brought into the room on purpoſe to intimidate him; we do not find, however, that either he or Brandt were put to the queſtion. They both underwent frequent and long examinations, and were once confronted. Upon that trying occaſion, they both behaved with dignity and reſolution; they neither accuſed, nor blamed each other, nor lamented their ſituation. It is ſaid that the whole number of queſtions propoſed to Struenſee in the courſe of his examinations, amounted to 637. It is alſo ſaid that he and colonel Falkenſchiold were confronted at one of theſe examinations, and that the latter having made very heavy charges upon him in his evidence, Struenſee

replied, that he would willingly ſubmit to all thoſe accuſations, provided his doing ſo could be of ſervice to the colonel. If this circumſtance be true, it is far from indicating a heart depraved and abandoned.

After more than two months examination, the grand commiſſion at length paſſed ſentence of death, forfeiture of eſtate, and degradation from their rank, upon the two counts, Struenſee and Brandt. Among the crimes with which the former was charged, were the aſſuming of an extraordinary and unconſtitutional power; his having been guilty of high treaſon, in expediting ſeveral orders from the privy council without the king's conſent or knowledge; his having made uſeleſs and dangerous changes in the government, and ſuſpicious arrangements in the capital and palace; his having diſcharged the guards; and his having been guilty of peculation in his office, and embezzling large ſums of the public money. Brandt was charged in general, with having been his confident, and privy to all his crimes; and in particular, with ſome diſreſpectful familiarity with the king's perſon, which was brought within the conſtruction of a law, that makes it death to lay violent hands on him.

The king ſigned the ſentence, which contained the order for cutting off their right arms, and then their heads, for diſmembering and diſemboweling their bodies, for fixing their heads and hands upon iron ſpikes, and expoſing their quarters upon the wheel, with great unconcern, and went immediately after to the Italian opera.

The unfortunate criminals behaved with great intrepidity, and were publicly executed on the 28th of April, three days after the ſentence was paſſed, ſurrounded by great bodies of foot and dragoons, and by an infinite number of ſpectators. They did not ſee each other, and Brandt was firſt executed. He was attended by a clergyman, and behaved with decency upon the ſcaffold, but ſhowed an unconcern and indifference, which ſeemed to the populace in ſome degree a confirmation of the report that had been ſpread of his being an atheiſt. Struenſee ſhowed equal firmneſs; but more devotion, and a more

awful ſenſe of the change which he was to undergo. It is ſaid, that he read the ſentence in the priſon, with a compoſure that ſurpriſed every perſon preſent, until he came to the part which related to Brandt, when he ſeemed to be greatly affected, at finding that his puniſhment was to be equal in degree with his own.

It ſeems pretty evident, by the diſcharge of ſo many members of the late adminiſtration, and of the particular friends and adherents of the favourites, that the charge of their intending to force the king to ſign an act of renunciation, and to the appointment of a regency, was not founded in fact, and was only calculated to anſwer the preſent purpoſes of the ruling faction; as ſuch a ſcheme muſt have comprehended a conſiderable number of thoſe perſons, and could not fail of being brought to light in the courſe of this inquiry.

The grand commiſſion carried on a proceſs againſt the queen, as well as the favourites, and the attorney general Uldahl was appointed to act as her advocate. It is reported, that the ſenate and the privy-council had at firſt intended to proceed to the utmoſt extremities, and even to ſtrike at her life; but that ſome apprehenſion of the reſentment of another court put a ſtop to their violence. This indeed ſeems very probable, as moderation is not one of the qualities that are to be expected in a faction, which is either ſtruggling for power, or newly arrived at it; when, independent of their own paſſions, acts of reſentment, and appearances, even of fury, are neceſſary to keep up that fever in the people, which is requiſite for their purpoſes.

Whatever the original deſigns of the court might have been, his Britannic majeſty ſeems, in ſome degree, to have concurred in, and probably influenced, their final determinations with reſpect to that unfortunate princeſs, by his ſending a ſmall ſquadron of ſhips to convoy her to Germany, and appointing the city of Zell, in his electoral dominions, for the place of her future reſidence. Commodore M'Bride having arrived in the Sound with three Engliſh frigates, the queen, attended by the count

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de Halſtein, and his lady, and the lord chamberlain Raben, all of her late houſehold, together with lady Moſtyn, and the Britiſh miniſter, embarked for Stade, where ſhe was received, on the 30th of May, with great honours, and ſeveral of the Hanoverian nobility of both ſexes were waiting to attend her.

NOTES

TO THE

FIRST VOLUME.

NOTE [A], p. 44.

LORD Camden was appointed lord chancellor; lord Northington, president of the council; lord Hertford, lord chamberlain; Sir J. Shelly, treasurer of the household; Mr. Hans Stanley, cofferer; duke of Ancaster, master of the horse; duke of Grafton, first lord of the treasury; Mr. C. Townshend, chancellor of the exchequer; Mr. Pryse Campbell, a lord of the treasury; sir Edward Hawke, first lord of the admiralty; Lord Palmerstone and Mr. J. Yorke, lords of the admiralty; lord Shelburne and general Conway, secretaries of state; lord Cornwallis, chief justice in eyre; lord Le Despenser and lord Hillsborough, post-masters, the latter of whom was also appointed first lord of trade; lord North and Mr. George Cooke, paymasters; hon. T. Robinson, a lord of trade; lord Bristol, lord lieutenant of Ireland; and Mr. James Grenville, one of the vice-treasurers. The rest of the great officers of state were continued in the posts they occupied under the former ministry.

NOTE [B], p. 214.

THE following is an extract of the lord lieutenant's message to the house of commons of Ireland upon this occasion:

"TOWNSHEND. *Gentlemen*, I am commanded, by his majesty, to acquaint you, that his majesty, upon the

the moſt mature conſideration of the ſtate and circumſtances of this kingdom, judges it abſolutely neceſſary, that a number of troops, not leſs than twelve thouſand men, commiſſioned and non-commiſſioned officers included, ſhould be kept therein, for the better defence of the ſame; and that his majeſty, finding that, conſiſtent with the general public ſervice, the number before mentioned cannot be conſtantly continued in Ireland, unleſs his army upon the Iriſh eſtabliſhment be augmented to 15,235 men in the whole, commiſſioned and non commiſſioned officers included: His majeſty earneſtly recommends it to his faithful commons to concur in a meaſure, which his majeſty has extremely at heart, as neceſſary not only for the honour and dignity of his crown, but the peace and ſecurity of this kingdom. And I have his majeſty's ſpecial command to aſſure you expreſly, in his majeſty's name, that it is his determined reſolution, that upon ſuch augmentation, a number of effective troops, not leſs than 12,000 men, commiſſioned and non-commiſſioned officers included, ſhall, at all times, except in caſes of invaſion or rebellion in Great Britain, be kept within this kingdom, for the better defence thereof." Lord Chatham's reaſoning on the preſent meſſage is certainly right, for if the Engliſh miniſtry were to determine upon the neceſſity of ſending for troops from Ireland, according to their own apprehenſions or intelligence, the condition, with reſpect to Ireland, would be nugatory.

NOTE [C], p. 237.

"KENNET MAYOR. A common council holden in the chamber of the Guildhall of the city of London, on Friday the ſeventh day of April 1780. A member preſented to this court an extract of a letter from the late earl of Chatham to the late earl Temple, dated April 17, 1771, which was read, and ordered to be entered in the journals of this court, as follows:

'Allow a ſpeculator, in a great chair, to add, that a plan for more *equal repreſentation*, by additional *knights of the ſhire*, ſeems highly ſeaſonable; and to ſhorten the *duration* of parliaments not leſs ſo. If your lordſhip ſhould approve,

approve, could lord Lyttelton's caution be brought to taſte thoſe ideas, we ſhould take poſſeſſion of ſtrong ground, let who will decline to follow us. One line of men, I am aſſured, will zealouſly ſupport, and a reſpectable weight of law. *Si quid novisti rectius iſtis, candidus imperti.*'

"' Signed by order of the court. RIX.'

There is another anecdote of lord Chatham upon this ſubject, which deſerves a place here. It is given by the earl of Buchan, in his character of Thomſon, the poet.

" The higheſt encomium of Thomſon is to be given him on account of his attachment to the cauſe of civil and political liberty. A free conſtitution of government, or what I would beg leave to call the *autocracy* of the people, is the panacea of moral diſeaſes; and after having been ſought for in vain for ages, has been diſcovered in the boſom of Truth, and at the feet of Philoſophy; the printing-preſs has been the diſpenſary, and half the world have been voluntary patients of the healing remedy.

" Eighteen years after Thomſon's death, the late lord Chatham agreed with me in making this remark; and when I ſaid, 'But, Sir, what will become of poor England, that doats on the imperfections of her pretended conſtitution?' he replied, 'My dear lord, the gout will diſpoſe of me ſoon enough to prevent me from feeling the conſequences of this infatuation. But before the end of this century either the parliament will reform itſelf from within, or be reformed with a vengeance from without.'--- "Pythonic ſpeech, ſpeedily to be verified!"

THE END OF VOL. I.

THE END OF ACT I

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